

## FORTY-FIFTH DAY

(Wednesday, March 31, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hartzog
Adkins	Heflin
Alexander	Herzik
Alsup	Holland
Amos	Hoskins
Baker	Howard
Bates	Huddleston
Beckworth	Hull
Bell	Hyder
Blankenship	Jackson
Boethel	James
Bond	Johnson of Ellis
Boyer	Johnson
Bradbury	of Tarrant
Bradford	Jones of Angelina
Bridgers	Jones of Atascosa
Broadfoot	Jones of Falls
Brown	Jones of Wise
Burton	Keefe
Cagle	Keith
Callan	Kelt
Carssow	Kenyon
Cathey	King
Cauthorn	Knetsch
Celaya	Lankford
Cleveland	Lanning
Colquitt	Leath
Davis of Haskell	Leonard
Davis of Jasper	Leyendecker
Davison of Fisher	Little
Davison	Loggins
of Eastland	London
Dean	Lucas
Deglandon	Mauritz
Derden	Mays
Dickson	McConnell
Dollins	McCracken
England	McDonald
Farmer	McFarland
Felty	McKee
Fielden	McKinney
Fox	Metcalf
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Oliver
Hardin	Palmer
Harper	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Petsch

Pope	Smith
Powell	of Matagorda
Prescott	Smith of Tarrant
Quinn	Stevenson
Ragsdale	Stinson
Reader	Stocks
Reed of Bowie	Talbert
Reed of Dallas	Tarwater
Rhodes	Tennant
Riddle	Tennyson
Roark	Thornberry
Ross	Thornton
Russell	Vale
Rutta	Waggoner
Schuenemann	Walker
Settle	Weldon
Sewell	Westbrook
Sharpe	Winfree
Shell	Wood
Simpson	Worley
Smith of Hopkins	

## Absent—Excused

Harrell	Mann
Kern	Skaggs
Langdon	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Skaggs for today, on motion of Mr. Talbert.

Mr. Harrell for today, on account of important State business, on motion of Mr. Bradford.

Mr. Harris of Dallas for today, on motion of Mr. Boyer.

Mr. Mann for today, on motion of Mr. Lucas.

Mr. Langdon for today, on motion of Mr. Roark.

The following Member was granted leave of absence on account of illness:

Mr. Kern for today, on motion of Mr. Smith of Matagorda.

## HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Bradbury:

H. B. No. 1048, A bill to be entitled "An Act granting the Commissioners Court of Taylor County permission to pay out of the General Fund of said

County bounties for the destruction of rabbits and ravens, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Harper moved to introduce, at this time, and have placed on first reading, House Bill No. 1049.

The motion prevailed by the following vote:

Yeas—121

Adkins	Johnson
Alexander	of Tarrant
Alsup	Jones of Angelina
Amos	Jones of Atascosa
Baker	Jones of Falls
Beckworth	Jones of Wise
Bell	Keith
Blankenship	Kelt
Boethel	Kenyon
Bond	King
Boyer	Knetsch
Bradbury	Lankford
Broadfoot	Lanning
Brown	Leyendecker
Burton	Little
Cagle	Loggins
Callan	London
Carssow	Lucas
Cathey	Mauritz
Cauthorn	Mays
Cleveland	McConnell
Davis of Haskell	McFarland
Davison of Fisher	McKee
Davisson	McKinney
of Eastland	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
Dollins	Morse
England	Nicholson
Farmer	Oliver
Felty	Palmer
Fuchs	Patterson of Mills
Graves	Petsch
Hamilton	Pope
Hankamer	Powell
Hanna	Prescott
Harbin	Quinn
Hardin	Reed of Bowie
Harper	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dickens	Riddle
Hartzog	Roark
Herzik	Ross
Holland	Russell
Hoskins	Rutta
Howard	Schuenemann
Hull	Settle
Hyder	Sewell
Jackson	Sharpe
James	Shell
Johnson of Ellis	Simpson

Smith of Hopkins	Thornberry
Smith	Thornton
of Matagorda	Vale
Stevenson	Waggoner
Stinson	Walker
Stocks	Weldon
Talbert	Westbrook
Tarwater	Winfree
Tennant	Wood
Tennyson	Worley

Absent

Bates	Huddleston
Bradford	Keefe
Bridgers	Leonard
Celaya	McCracken
Colquitt	McDonald
Davis of Jasper	Newton
Dean	Patterson
Fielden	of Travis
Fox	Ragsdale
Gibson	Reader
Heflin	Smith of Tarrant

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Harper:

H. B. No. 1049, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, prescribing the time of meeting of the County Board of School Trustees: (a) in counties containing a population of not less than forty-eight thousand, five hundred and sixty (48,560) and not more than forty-eight thousand, six hundred and sixty-five (48,665) population, (b) in counties containing a population of not less than thirty thousand, and twenty (30,020) and not more than thirty thousand, one hundred and twenty-five (30,125) population, (c) in counties containing a population of not less than ten thousand, three hundred and seventy (10,370) and not more than ten thousand, four hundred and seventy-five (10,475) population, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict

therewith, and declaring an emergency."

Referred to the Committee on Education.

Mr. Westbrook moved to introduce, at this time, and have placed on first reading, House Bill No. 1050.

The motion prevailed by the following vote:

Yeas—117

Adkins	Johnson of Ellis
Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Baker	Jones of Atascosa
Bates	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Boethel	Keith
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bridgers	Knetsch
Broadfoot	Lankford
Brown	Lanning
Burton	Leyendecker
Cagle	Little
Callan	Loggins
Carssow	London
Cathey	Lucas
Cauthorn	Mays
Cleveland	McConnell
Davis of Haskell	McFarland
Davis of Jasper	McKee
Davison of Fisher	McKinney
Davisson	Metcalfe
of Eastland	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickson	Morse
Dollins	Oliver
England	Palmer
Farmer	Patterson of Mills
Felty	Powell
Fuchs	Prescott
Graves	Quinn
Hamilton	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Harbin	Riddle
Hardin	Roark
Harper	Ross
Harris of Archer	Russell
Harris of Dickens	Rutta
Heflin	Schuenemann
Herzik	Settle
Holland	Sharpe
Hoskins	Shell
Howard	Simpson
Hull	Smith
Hyder	of Matagorda
Jackson	Stevenson
James	Stinson

Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton

Vale  
Waggoner  
Walker  
Westbrook  
Winfree  
Wood  
Worley

Absent

Beckworth	McDonald
Bradford	Newton
Celaya	Nicholson
Colquitt	Patterson
Dean	of Travis
Fielden	Petsch
Fox	Pope
Gibson	Ragsdale
Hartzog	Reader
Huddleston	Sewell
Leonard	Smith of Hopkins
Mauritz	Smith of Tarrant
McCracken	Weldon

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Westbrook:

H. B. No. 1050, A bill to be entitled "An Act providing relief for the Common and Independent School Districts of Sabine County, Texas, made necessary by reason of the fact that the Federal Government has purchased over 70% of the land in said County thereby taking off the tax rolls of such Districts a major portion of the taxable valuation; making an appropriation for said Districts in said County to enable them to continue their program of education, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Westbrook moved to introduce, at this time, and have placed on first reading, House Bill No. 1051.

The motion prevailed by the following vote:

Yeas—117

Adkins	Bates
Alexander	Bell
Alsup	Blankenship
Amos	Boethel
Baker	Bond

Boyer	Knetsch
Bradbury	Lankford
Bridgers	Lanning
Broadfoot	Leyendecker
Brown	Little
Burton	Loggins
Cagle	London
Callan	Lucas
Carssow	Mays
Cathey	McConnell
Cauthorn	McFarland
Cleveland	McKee
Davis of Haskell	McKinney
Davis of Jasper	Metcalf
Davison of Fisher	Moffett
Davison	Monkhouse
of Eastland	Morris
Deglandon	Morse
Derden	Oliver
Dickison	Palmer
Dollins	Patterson of Mills
England	Powell
Farmer	Prescott
Felty	Quinn
Fuchs	Reed of Bowie
Graves	Reed of Dallas
Hamilton	Rhodes
Hankamer	Riddle
Hanna	Roark
Harbin	Ross
Hardin	Russell
Harper	Rutta
Harris of Archer	Schuenemann
Harris of Dickens	Settle
Heflin	Sharpe
Herzik	Shell
Holland	Simpson
Hoskins	Smith
Howard	of Matagorda
Hull	Stevenson
Hyder	Stinson
Jackson	Stocks
James	Talbert
Johnson of Ellis	Tarwater
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton
Jones of Falls	Vale
Jones of Wise	Waggoner
Keefe	Walker
Keith	Westbrook
Kelt	Winfree
Kenyon	Wood
King	Worley

Absent

Beckworth	Gibson
Bradford	Hartzog
Celaya	Huddleston
Colquitt	Leonard
Dean	Mauritz
Fielden	McCracken
Fox	McDonald

Newton	Ragsdale
Nicholson	Reader
Patterson	Sewell
of Travis	Smith of Hopkins
Petsch	Smith of Tarrant
Pope	Weldon

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Westbrook:

H. B. No. 1051, A bill to be entitled "An Act providing relief for the Common School District of San Augustine County, Texas, made necessary by reason of the fact that the Federal Government has purchased over forty-one per cent (41%) of the land in said County thereby taking off the tax rolls of such Districts a major portion of the valuation; making an appropriation for said Districts in said County to enable them to continue their program of education, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Cathey moved to introduce, at this time, and have placed on first reading, certain House bill.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

## Yeas—86

Alsup	Derden
Amos	Farmer
Baker	Hamilton
Bates	Hanna
Beckworth	Harbin
Bell	Hardin
Boethel	Harper
Boyer	Harris of Archer
Bradbury	Harris of Dickens
Bradford	Heflin
Bridgers	Herzik
Broadfoot	Holland
Brown	Hoskins
Cagle	Huddleston
Carssow	Hull
Cathey	Hyder
Cauthorn	James
Cleveland	Johnson of Ellis
Davis of Jasper	Johnson
Davison of Fisher	of Tarrant
Deglandon	Jones of Angelina

Jones of Wise	Quinn
Keefe	Reed of Bowie
Kelt	Rhodes
Kenyon	Roark
King	Ross
Knetsch	Schuenemann
Lankford	Settle
Lanning	Sewell
Loggins	Sharpe
Lucas	Shell
Mauritz	Simpson
Mays	Smith of Hopkins
McConnell	Smith
McFarland	of Matagorda
McKee	Smith of Tarrant
Metcalfe	Stevenson
Monkhouse	Talbert
Palmer	Tennant
Patterson of Mills	Tennyson
Patterson	Walker
of Travis	Weldon
Pope	Westbrook
Powell	Worley
Prescott	

## Nays—38

Adkins	Leyendecker
Alexander	London
Blankenship	McDonald
Bond	McKinney
Burton	Moffett
Callan	Morris
Colquitt	Petsch
Davis of Haskell	Reader
Dollins	Reed of Dallas
England	Russell
Felty	Rutta
Fox	Stinson
Fuchs	Stocks
Graves	Thornberry
Hankamer	Thornton
Howard	Vale
Jackson	Waggoner
Jones of Atascosa	Winfree
Jones of Falls	Wood

## Absent

Celaya	Little
Davisson	McCracken
of Eastland	Morse
Dean	Newton
Dickison	Nicholson
Fielden	Oliver
Gibson	Ragsdale
Hartzog	Riddle
Keith	Tarwater
Leonard	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

## ADDITIONAL SIGNERS OF BILLS AND RESOLUTIONS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Kelt, Mr. Hamilton, Mr. Weldon, Mr. Cathey, Mr. Tarwater, Mr. Metcalfe, Mr. Cagle, Mr. Bond, Mr. Alexander, Mr. Knetsch, Mr. Harris of Archer, Mr. Alsup, Mr. Fuchs, Mr. Petsch, Mr. Johnson of Ellis and Mr. Sewell, House Bill No. 547.

Mr. Smith of Tarrant, House Bill No. 642.

## RELATIVE TO HOUSE JOINT RESOLUTION NO. 21

Mr. Weldon moved that House Joint Resolution No. 21, reported adversely with a minority favorable report, be printed.

Mr. Davison of Fisher moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—66

Alexander	Mays
Alsup	McCracken
Baker	McDonald
Bell	McFarland
Boyer	McKee
Broadfoot	McKinney
Burton	Metcalfe
Cagle	Morse
Callan	Nicholson
Carssow	Palmer
Davis of Haskell	Patterson of Mills
Davison of Fisher	Petsch
Deglandon	Prescott
Derden	Quinn
Dickison	Reed of Bowie
Felty	Reed of Dallas
Fox	Riddle
Fuchs	Roark
Graves	Ross
Hanna	Russell
Harper	Schuenemann
Harris of Dickens	Sharpe
Hartzog	Shell
Herzik	Smith of Hopkins
Jones of Angelina	Smith
Jones of Atascosa	of Matagorda
Keith	Stinson
Kenyon	Stocks
King	Tarwater
Knetsch	Tennyson
London	Thornberry
Mauritz	Thornton

Vale	Wood
Westbrook	
Nays—58	
Adkins	Jones of Falls
Amos	Jones of Wise
Bates	Keefe
Beckworth	Kelt
Blankenship	Lankford
Boethel	Lanning
Bond	Leyendecker
Bradbury	Loggins
Bridgers	Lucas
Cathey	McConnell
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morris
Davis of Jasper	Oliver
Davisson	Pope
of Eastland	Powell
Dollins	Ragsdale
England	Rhodes
Farmer	Rutta
Fielden	Sewell
Hamilton	Simpson
Hankamer	Smith of Tarrant
Harbin	Talbert
Hardin	Tennant
Harris of Archer	Waggoner
Holland	Walker
Hoskins	Weldon
Hull	Winfree
Jackson	Worley
Johnson of Ellis	

## Absent

Bradford	Johnson
Brown	of Tarrant
Colquitt	Leonard
Dean	Little
Gibson	Newton
Heflin	Patterson
Howard	of Travis
Huddleston	Reader
Hyder	Settle
James	Stevenson

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

## HOUSE BILL NO. 563 WITH SENATE AMENDMENTS

Mr. Holland called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 563, A bill to be entitled "An Act to prohibit the use of any trap, seine, or net of any kind for the purpose of taking or catching any fish

in Bell County for a period of two years from and after the effective date of this Act; providing, however, that this Act shall not prohibit the use of a minnow seine in such County, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Holland, the House concurred in the Senate amendments by the following vote:

## Yeas—116

Adkins	Hyder
Alexander	Jackson
Alsup	James
Amos	Johnson of Ellis
Baker	Johnson
Bates	of Tarrant
Beckworth	Jones of Angelina
Bell	Jones of Atascosa
Blankenship	Jones of Falls
Boethel	Jones of Wise
Bond	Keith
Boyer	Kelt
Bradbury	King
Bridgers	Knetsch
Broadfoot	Lankford
Brown	Lanning
Burton	Leyendecker
Cagle	Little
Callan	Loggins
Carssow	London
Cathey	Lucas
Celaya	Mauritz
Cleveland	Mays
Davis of Haskell	McConnell
Davis of Jasper	McFarland
Davisson of Fisher	McKee
Davisson	Metcalfe
of Eastland	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickison	Morse
England	Nicholson
Farmer	Oliver
Felty	Palmer
Fox	Patterson of Mills
Fuchs	Petsch
Graves	Pope
Hamilton	Powell
Hankamer	Prescott
Hanna	Quinn
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harper	Rhodes
Harris of Archer	Roark
Harris of Dickens	Russell
Hartzog	Rutta
Herzik	Schuenemann
Holland	Settle
Hoskins	Sharpe
Hull	Simpson

Smith of Hopkins	Thornton	Baker	Keith
Smith	Vale	Bates	Kelt
of Matagorda	Waggoner	Beckworth	Kenyon
Stevenson	Walker	Bell	King
Stinson	Weldon	Blankenship	Knetsch
Stocks	Westbrook	Boethel	Lankford
Talbert	Winfree	Bond	Lanning
Tennant	Wood	Boyer	Leyendecker
Tennyson	Worley	Bradbury	Little
Thornberry		Bradford	Lucas
	Absent	Bridgers	Mauritz
Bradford	McDonald	Broadfoot	Mays
Cauthorn	McKinney	Brown	McConnell
Colquitt	Newton	Burton	McDonald
Dean	Patterson	Cagle	McFarland
Dollins	of Travis	Callan	McKee
Fielden	Ragsdale	Carssow	McKinney
Gibson	Reader	Cathey	Metcalf
Heflin	Riddle	Cauthorn	Moffett
Howard	Ross	Cleveland	Monkhouse
Huddleston	Sewell	Colquitt	Morris
Keefe	Shell	Davis of Haskell	Nicholson
Kenyon	Smith of Tarrant	Davis of Jasper	Oliver
Leonard	Tarwater	Davison of Fisher	Palmer
McCracken		Davison	Patterson of Mills
	Absent—Excused	of Eastland	Patterson
Harrell	Leath	Dean	of Travis
Harris of Dallas	Mann	Deglandon	Powell
Kern	Skaggs	Derden	Prescott
Langdon		Dickison	Quinn
		Dollins	Reed of Bowie
		England	Reed of Dallas
		Farmer	Rhodes
		Fox	Roark
		Fuchs	Ross
		Hamilton	Russell
		Hankamer	Rutta
		Hanna	Schuenemann
		Harbin	Settle
		Hardin	Sewell
		Harper	Sharpe
		Harris of Archer	Shell
		Harris of Dickens	Simpson
		Hartzog	Smith of Hopkins
		Heflin	Smith
		Herzik	of Matagorda
		Holland	Smith of Tarrant
		Hoskins	Stinson
		Howard	Stocks
		Huddleston	Talbert
		Hyder	Tennant
		Jackson	Tennyson
		James	Thornberry
		Johnson of Ellis	Thornton
		Johnson	Waggoner
		of Tarrant	Weldon
		Jones of Angelina	Westbrook
		Jones of Atascosa	Winfree
		Jones of Falls	Wood
		Jones of Wise	Worley
		Keefe	
			Absent
		Celaya	Fielden
		Felty	Gibson

#### HOUSE BILL NO. 1020 WITH SENATE AMENDMENTS

Mr. Bradbury called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1020, A bill to be entitled "An Act making an appropriation of One Hundred Thousand (\$100,000.00) Dollars out of the Texas Old Age Assistance Fund, to be used by the Texas Old Age Assistance Commission for payment of seasonal administrative expenses for the remainder of the present fiscal year, ending August 31, 1937; making provision for expenditure and use of this appropriation in addition to the sums of money already appropriated for administrative expenses of the Texas Old Age Assistance Commission for the remainder of the present year ending August 31, 1937, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Bradbury, the House concurred in the Senate amendments by the following vote:

Yeas—121

Adkins	Alsup
Alexander	Amos

Graves	Pope
Hull	Ragsdale
Leonard	Reader
Loggins	Riddle
London	Stevenson
McCracken	Tarwater
Morse	Vale
Newton	Walker
Petsch	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

## REQUEST OF SENATE GRANTED

On motion of Mr. Petsch, the House granted the request of the Senate for the appointment of a conference committee to adjust the differences between the two Houses on Senate Bill No. 247.

## HOUSE BILL NO. 969 WITH SENATE AMENDMENTS

Mr. Smith of Tarrant called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 969, A bill to be entitled "An Act authorizing any subsidiary corporate body politic of the State to pay to the school district the sum or sums equivalent to the amount of bonded indebtedness at the time of the creation of said corporate body, and all other damages that may be sustained by such school district; provided further, that such corporate body may render for taxes, and pay said taxes to the school district for any properties not actually used by the corporate body for the purpose that such body was formed, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Smith of Tarrant moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

## COMMUNICATION FROM HON. FRANK BANE

On motion of Mr. Farmer, the following communication was ordered printed in the Journal:

## SOCIAL SECURITY BOARD

Washington, D. C.

Office of Executive Director

March 11, 1937

Mrs. Louise Snow Phinney, Chief Clerk, House of Representatives, Austin, Texas

Dear Mrs. Phinney:

Your letter of March 9, addressed to the Director of the Social Security Board, asks an immediate answer to the question whether or not the Social Security Board would continue to make grants to Texas for old-age assistance if the Texas Legislature were to make certain changes in the present law in conformity with House Simple Resolution No. 133.

The resolution would seem to raise three questions: whether a State law providing a pension of not more than \$15.00 per person would be in conflict with the Social Security Act, whether the Social Security Act prevents the State from selecting those for assistance who are in the greatest need, and whether persons who are in need but who own small homes would be eligible for old-age assistance under the Federal Act.

Title I of the Social Security Act, Section 1, provides Federal funds to enable states to furnish financial assistance to "aged needy individuals." It would seem to contemplate, therefore, that those who are in greatest need could qualify first for any assistance provided under a State plan for old-age assistance. The mere fact that a person owns a small home is not in itself an indication that the person is not in need. If a person is in fact in need, there is no reason why Federal funds could not be used for his assistance in conformity with the terms of a State plan.

The Social Security Board has interpreted the Federal Act to mean that assistance shall be given individuals according to their need. If by "a pension of not more than \$15.00 per person" the resolution means assistance to the individual in accordance with his individual needs, not to exceed \$15.00 in any case, it would appear to be in conformity with the Social Security Act. If, on the other hand, it means that every person of a certain age shall receive the same amount of assistance, not to exceed \$15.00 per person, regardless of need, it would not be in conformity with the Federal Act. Assistance in the amount of



\$15.00 a month would, of course, often not suffice to supply the minimum needs of individuals.

Since your letter requests our comments only in relation to the resolution, I am not commenting on Committee Amendment No. 1, to amend House Bill No. 48, which you have also sent me.

Very sincerely,  
(Signed) FRANK BANE,  
Executive Director.

#### MESSAGE FROM THE SENATE

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 147, A bill to be entitled "An Act empowering and authorizing cities and towns in the State of Texas having a population in excess of ..... inhabitants, according to the last preceding or any future Federal Census, to enact ordinances governing operation of all motor vehicles upon the public thoroughfares of such cities, and declaring an emergency." (With amendments.)

H. B. No. 230, A bill to be entitled "An Act providing an open season for the taking and shooting of squirrels; providing an open season for the shooting of quail; providing a bag limit for squirrels, a bag limit and possession limit for quail; providing a penalty for any violation of this Act; repealing all laws in conflict with this Act; providing that the provisions of this Act shall apply to Shelby County only, and declaring an emergency."

H. B. No. 244, A bill to be entitled "An Act granting M. L. Barrett of Bell County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Bell County, Texas, for damages sustained to his property by the construction of road bed and culvert adjacent to his land upon highway number two in Bell County, Texas; impounding water on his land, washing and destroying his farm; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

H. B. No. 250, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a population of not less than thirteen thousand six hundred (13,600) inhabitants, nor more than thirteen thousand seven hundred (13,700) inhabitants, according to the last Federal Census as to population, and providing for the manner of the payment of the salaries and the funds from which said salaries shall be paid; and repeal all laws in conflict herewith, and declaring an emergency."

H. B. No. 271, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1937, at the several State institutions of higher learning in the State of Texas, authorizing the expenditure of said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act requiring any person hunting any quail outside of the county of his residence upon the private lands of another person in Henderson County, to first obtain and have in his possession a written permit, and declaring an emergency."

H. B. No. 370, A bill to be entitled "An Act granting to R. L. Gillespie permission to bring suit against the State of Texas, and declaring an emergency."

H. B. No. 569, A bill to be entitled "An Act amending Article 2372, Revised Civil Statutes of Texas, 1925, providing that the Commissioners Court of the various counties of this State shall have authority to pay for the services of interpreters, and declaring an emergency."

H. B. No. 629, A bill to be entitled "An Act declaring the islands in Galveston Bay, known as Vingt'une Islands, as a wildlife sanctuary and prohibiting the molestation of any birds found on said islands; providing a penalty for violation of this Act, and declaring an emergency."

H. B. No. 672, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to require all male convicts to labor on the public roads, and declaring an emergency."

H. B. No. 606, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925,

prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than 43,180 and not more than 44,100 population, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply wherein conflict therewith, and declaring an emergency."

H. B. No. 716, A bill to be entitled "An Act for the purpose of authorizing County Treasurers in counties having a population of not less than one hundred and twenty-five thousand (125,000) nor more than one hundred and seventy-five thousand (175,000) inhabitants, according to the last Federal Census and containing two (2) cities of more than forty thousand (40,000) inhabitants according to the last Federal Census to be paid in addition to all other compensation a salary of not to exceed Six Hundred (\$600.00) Dollars per year to be fixed and determined by the Commissioners Court, and declaring an emergency."

H. B. No. 748, A bill to be entitled "An Act amending Chapter 465, of the Acts of the Forty-fourth Legislature, Second Called Session, by adding a new section thereto, to be known as Section 2a, providing that in Counties containing a population of less than one hundred ninety thousand (190,000) inhabitants according to the last preceding Federal Census wherein the precinct officers are placed on a salary basis, shall receive as compensation in addition to the salary fixed, certain commissions and payments for certain services performed, and declaring an emergency."

H. B. No. 962, A bill to be entitled "An Act amending Section 2 of Chapter 19 of the Local and Special Acts of the Forty-first Legislature of Texas, Fourth Called Session, so as to provide for the funding by the Commissioners' Court of Angelina County of any and all items of indebtedness outstanding on January 1, 1937, against the road and bridge fund of said County, including scrip and time warrants, by issuing coupon bonds of said County; providing that the Commissioners Court shall be authorized to levy and collect any and all of the special fifteen cents maintenance tax of said County for the payment of

said bonds, and declaring an emergency." (With amendment.)

H. B. No. 1020, A bill to be entitled "An Act making an appropriation of One Hundred Thousand (\$100,000.00) Dollars out of the Texas Old Age Assistance Fund, to be used by the Texas Old Age Assistance Commission for payment of seasonal administrative expenses for the remainder of the present fiscal year, ending August 31, 1937; making provision for expenditure and use of this appropriation in addition to the sums of money already appropriated for administrative expenses of the Texas Old Age Assistance Commission for the remainder of the present year ending August 31, 1937, and declaring an emergency." (With amendment.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 67 WITH SENATE AMENDMENTS

Mr. Knetsch called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 67, A bill to be entitled "An Act amending Section 1, Chapter 314, General Laws of the State of Texas, Forty-first Legislature, Regular Session, as amended by Chapter 24 of the General Laws of the Second Called Session thereof, and Chapter 227, Acts of the Regular Session of the Forty-second Legislature, 1931, so as to hereinafter provide that motor carriers and motor vehicles subject to jurisdiction of the Railroad Commission shall be those operating for compensation and hire and providing that the term, 'compensation and hire' shall not include vehicles transporting goods owned by the owner of such vehicle."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Knetsch moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

#### RELATIVE TO HOUSE BILL NO. 625

Mr. Fox moved that House Bill No. 625 be recommitted to the Committee on Judiciary.

The motion was lost.

**BILLS LAID ON THE TABLE SUBJECT TO CALL**

Mr. Reed of Dallas moved that House Bill No. 144 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—112

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Jones of Wise
Baker	Keefe
Bates	Keith
Beckworth	Kenyon
Bell	King
Blankenship	Knetsch
Boethel	Lanning
Bond	Leonard
Boyer	Leyendecker
Bradbury	Little
Bradford	Loggins
Bridgers	London
Broadfoot	Lucas
Brown	McConnell
Burton	McDonald
Callan	McKee
Carssow	Metcalfe
Cathey	Moffett
Cauthorn	Monkhause
Celaya	Morris
Cleveland	Morse
Colquitt	Nicholson
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davisson	Patterson of Mills
of Eastland	Petsch
Dean	Pope
Deglandon	Prescott
Dickison	Quinn
England	Ragsdale
Farmer	Reader
Felty	Reed of Dallas
Fuchs	Riddle
Gibson	Roark
Hamilton	Russell
Hankamer	Rutta
Hanna	Schuenemann
Harbin	Settle
Harper	Sewell
Harris of Archer	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Smith of Hopkins
Herzik	Smith
Holland	of Matagorda
Howard	Smith of Tarrant
Hull	Stinson
Hyder	Talbert
James	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale

Waggoner  
Walker  
Weldon

Winfree  
Worley

Nays—13

Cagle  
Derden  
Dollins  
Hardin  
Huddleston  
Kelt  
Lankford

Mays  
Reed of Bowie  
Rhodes  
Ross  
Stocks  
Wood

Present—Not Voting

Powell

Tarwater

Absent

Amos  
Davis of Haskell  
Fielden  
Fox  
Graves  
Hoskins  
Jackson  
Mauritz

McCracken  
McFarland  
McKinney  
Newton  
Patterson  
of Travis  
Stevenson  
Westbrook

Absent—Excused

Harrell  
Harris of Dallas  
Kern  
Langdon

Leath  
Mann  
Skaggs

Mr. Bradbury moved that House Bill No. 816 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—118

Adkins  
Alexander  
Alsup  
Baker  
Bates  
Beckworth  
Bell  
Blankenship  
Boethel  
Bond  
Boyer  
Bradbury  
Bradford  
Bridgers  
Broadfoot  
Brown  
Burton  
Cagle  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Davis of Jasper

Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Derden  
Dickison  
Dollins  
England  
Farmer  
Felty  
Fielden  
Fuchs  
Gibson  
Graves  
Hamilton  
Hanna  
Harbin  
Hardin  
Harper  
Harris of Archer  
Harris of Dickens  
Heflin  
Herzik  
Holland  
Howard

Huddleston	Quinn
Hull	Ragsdale
Hyder	Reader
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Riddle
Jones of Angelina	Roark
Jones of Atascosa	Ross
Jones of Falls	Russell
Jones of Wise	Rutta
Keefe	Schuenemann
Keith	Settle
Kelt	Sewell
King	Sharpe
Knetsch	Shell
Lankford	Simpson
Lanning	Smith of Hopkins
Leonard	Smith
Leyendecker	of Matagorda
Loggins	Smith of Tarrant
Lucas	Stevenson
McConnell	Stinson
McDonald	Talbert
McKee	Tarwater
Metcalfe	Tennant
Moffett	Tennyson
Monkhouse	Thornberry
Morris	Vale
Morse	Waggoner
Oliver	Walker
Palmer	Weldon
Patterson of Mills	Westbrook
Petsch	Winfree
Pope	Wood
Prescott	

Nays—5

Colquitt	Stocks
Hankamer	Thornton
Mays	

Present—Not Voting

Powell

Absent

Amos	Mauritz
Davis of Haskell	McCracken
Dean	McFarland
Fox	McKinney
Hartzog	Newton
Hoskins	Nicholson
Jackson	Patterson
Kenyon	of Travis
Little	Worley
London	

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

Mr. Talbert moved that House Bill No. 996 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—124

Adkins	Jones of Falls
Alexander	Jones of Wise
Alsup	Keefe
Amos	Keith
Baker	Kelt
Bates	King
Beckworth	Knetsch
Bell	Lankford
Blankenship	Lanning
Boethel	Leonard
Bond	Leyendecker
Boyer	Loggins
Bradbury	London
Bradford	Lucas
Broadfoot	Mauritz
Brown	Mays
Burton	McConnell
Cagle	McDonald
Callan	McKee
Carssow	McKinney
Cathey	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morris
Colquitt	Morse
Davis of Haskell	Nicholson
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davison	Patterson of Mills
of Eastland	Patterson
Deglandon	of Travis
Derden	Petsch
Dickison	Pope
England	Prescott
Felty	Quinn
Fielden	Ragsdale
Gibson	Reader
Graves	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Riddle
Harbin	Roark
Hardin	Ross
Harper	Russell
Harris of Archer	Rutta
Harris of Dickens	Schuenemann
Heflin	Settle
Herzik	Sewell
Holland	Sharpe
Hoskins	Shell
Howard	Simpson
Huddleston	Smith of Hopkins
Hull	Smith
Hyder	of Matagorda
James	Stevenson
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tennant
Jones of Atascosa	Tennyson

Thornberry  
Thornton  
Vale  
Waggoner

Walker  
Weldon  
Westbrook  
Wood

Nays—1

Fuchs

Present—Not Voting

Powell

Absent

Bridgers	Little
Dean	McCracken
Dollins	McFarland
Farmer	Newton
Fox	Smith of Tarrant
Hartzog	Tarwater
Jackson	Winfree
Kenyon	Worley

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

Mr. Davison of Fisher moved that House Bill No. 351 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—112

Adkins	Fuchs
Alexander	Gibson
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Bates	Hardin
Beckworth	Harper
Bell	Harris of Archer
Blankenship	Harris of Dickens
Boethel	Heflin
Bond	Herzik
Boyer	Hoskins
Bradbury	Howard
Brown	Huddleston
Burton	Hull
Cagle	Hyder
Callan	James
Carssow	Johnson of Ellis
Cathey	Johnson
Cauthorn	of Tarrant
Celaya	Jones of Angelina
Cleveland	Jones of Atascosa
Colquitt	Jones of Falls
Davison of Fisher	Jones of Wise
Dean	Keefe
Derden	Keith
England	Kelt
Farmer	Kenyon
Felty	King

Knetsch	Reed of Dallas
Lankford	Rhodes
Lanning	Riddle
Leonard	Roark
Leyendecker	Ross
Little	Russell
Loggins	Rutta
London	Schuenemann
Lucas	Settle
Mauritz	Sewell
McConnell	Sharpe
McDonald	Shell
McKee	Simpson
Metcalfe	Smith of Hopkins
Moffett	Smith
Monkhouse	of Matagorda
Morris	Smith of Tarrant
Morse	Stevenson
Nicholson	Stinson
Palmer	Talbert
Patterson of Mills	Tennant
Patterson	Tennyson
of Travis	Thornberry
Petsch	Thornton
Prescott	Waggoner
Quinn	Walker
Ragsdale	Weldon
Reader	Worley
Reed of Bowie	

Nays—8

Davis of Jasper	Oliver
Deglandon	Powell
Hartzog	Stocks
Mays	Wood

Present—Not Voting

Westbrook

Absent

Bradford	Harbin
Bridgers	Holland
Broadfoot	Jackson
Davis of Haskell	McCracken
Davisson	McFarland
of Eastland	McKinney
Dickison	Newton
Dollins	Pope
Fielden	Tarwater
Fox	Vale
Graves	Winfree

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

Mr. Lucas moved that House Bill No. 844 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—96

Adkins	Jones of Atascosa
Amos	Jones of Wise
Bates	Keefe
Beckworth	Kelt
Bell	Kenyon
Blankenship	King
Boethel	Lankford
Boyer	Lanning
Bradbury	Leonard
Bridgers	Leyendecker
Brown	Little
Cagle	Loggins
Callan	London
Carssow	Lucas
Cathey	Mauritz
Cauthorn	Mays
Celaya	McCracken
Cleveland	McDonald
Davis of Jasper	Monkhouse
Davison of Fisher	Morse
Davisson	Oliver
of Eastland	Palmer
Dean	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
Dickison	Pope
Dollins	Prescott
England	Quinn
Farmer	Ragsdale
Felty	Reed of Dallas
Fielden	Roark
Hamilton	Ross
Hankamer	Russell
Harbin	Rutta
Hardin	Schuenemann
Harper	Sewell
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Smith of Hopkins
Herzik	Smith of Tarrant
Holland	Stevenson
Hoskins	Stocks
Huddleston	Talbert
Hull	Thornberry
Hyder	Thornton
James	Weldon
Johnson of Ellis	Westbrook
Johnson	Winfree
of Tarrant	Worley
Jones of Angelina	

Nays—27

Alexander	Harris of Archer
Alsup	Howard
Burton	Jackson
Colquitt	Jones of Falls
Fuchs	Keith
Gibson	McConnell
Graves	Metcalfe
Hanna	Moffett

Morris	Tennant
Nicholson	Tennyson
Petsch	Waggoner
Reed of Bowie	Walker
Sharpe	Wood
Stinson	

Present—Not Voting

Powell	Tarwater
Smith	
of Matagorda	

Absent

Baker	McKee
Bond	McKinney
Bradford	Newton
Broadfoot	Reader
Davis of Haskell	Rhodes
Fox	Riddle
Knetsch	Settle
McFarland	Vale

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

Mr. Worley moved that House Bill No. 373 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—83

Adkins	Hanna
Amos	Harbin
Baker	Hardin
Bates	Harper
Beckworth	Harris of Dickens
Bell	Hartzog
Blankenship	Heflin
Boethel	Holland
Boyer	Hoskins
Bridgers	Huddleston
Brown	Hull
Cagle	Hyder
Callan	Jackson
Carssow	Johnson
Cathey	of Tarrant
Cauthorn	Jones of Angelina
Cleveland	Jones of Atascosa
Davis of Jasper	Jones of Falls
Davison of Fisher	Jones of Wise
Dean	Keefe
Derden	Kenyon
Dickison	King
Dollins	Lankford
Farmer	Lanning
Felty	Leonard
Fielden	Leyendecker
Hamilton	Little
Hankamer	London

Lucas	Rutta	Blankenship	Leyendecker
Mauritz	Schuenemann	Boethel	Little
Mays	Settle	Bond	Loggins
McKinney	Shell	Boyer	London
Monkhouse	Simpson	Cagle	Lucas
Morse	Smith	Callan	Mauritz
Palmer	of Matagorda	Cathey	Mays
Patterson of Mills	Stevenson	Cauthorn	McKinney
Pope	Talbert	Celaya	Moffett
Prescott	Tarwater	Davison of Fisher	Monkhouse
Quinn	Thornton	Dean	Morse
Ragsdale	Weldon	Derden	Newton
Reed of Dallas	Winfree	Dickison	Oliver
Riddle	Worley	Dollins	Palmer
Roark		Farmer	Patterson of Mills
	Nays—36	Felty	Patterson
Alexander	Oliver	Hankamer	of Travis
Alsup	Patterson	Hanna	Pope
Burton	of Travis	Harbin	Prescott
Colquitt	Petsch	Hardin	Quinn
Deglandon	Powell	Harris of Dickens	Ragsdale
Fuchs	Reed of Bowie	Hartzog	Reader
Gibson	Rhodes	Holland	Reed of Bowie
Graves	Ross	Hoskins	Reed of Dallas
Harris of Archer	Russell	Huddleston	Rhodes
Howard	Sharpe	Hull	Riddle
James	Smith of Hopkins	Hyder	Roark
Johnson of Ellis	Stinson	Jackson	Ross
McConnell	Stocks	James	Rutta
McDonald	Tennant	Johnson of Ellis	Schuenemann
McKee	Tennyson	Johnson	Sewell
Metcalfe	Waggoner	of Tarrant	Sharpe
Moffett	Walker	Jones of Angelina	Simpson
Morris	Wood	Jones of Atascosa	Smith
Nicholson		Jones of Falls	of Matagorda
	Absent	Jones of Wise	Smith of Tarrant
Bond	Kelt	Keefe	Talbert
Bradbury	Knetsch	Kelt	Tarwater
Bradford	Loggins	Kenyon	Thornberry
Broadfoot	McCracken	King	Thornton
Celaya	McFarland	Lankford	Vale
Davis of Haskell	Newton	Lanning	Weldon
Davisson	Reader	Leonard	Worley
of Eastland	Sewell		Nays—33
England	Smith of Tarrant	Alsup	McConnell
Fox	Thornberry	Bridgers	McDonald
Herzik	Vale	Burton	McFarland
Keith	Westbrook	Carssow	Metcalfe
	Absent—Excused	Cleveland	Morris
Harrell	Leath	Colquitt	Nicholson
Harris of Dallas	Mann	Davis of Jasper	Petsch
Kern	Skaggs	Davisson	Powell
Langdon		of Eastland	Russell
		Deglandon	Settle
		England	Stinson
		Fuchs	Stocks
		Gibson	Tennant
		Graves	Tennyson
		Hamilton	Waggoner
		Howard	Walker
		Knetsch	Wood
			Present—Not Voting
		Herzik	

Mr. Hardin moved that House Bill No. 204 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—87

Amos	Beckworth
Bates	Bell

## Absent

Adkins	Harris of Archer
Alexander	Heflin
Baker	Keith
Bradbury	McCracken
Bradford	McKee
Broadfoot	Shell
Brown	Smith of Hopkins
Davis of Haskell	Stevenson
Fielden	Westbrook
Fox	Winfree
Harper	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

HOUSE BILL NO. 947  
REREFERRED

On motion of Mr. Jones of Angelina, House Bill No. 947 was withdrawn from the Committee on Counties and referred to the Committee on Criminal Jurisprudence.

RELATIVE TO ROUTINE MOTION  
PERIOD

On motion of Mr. Reed of Bowie, the House Rule, relative to the making of routine motions was suspended, at this time, for the purpose of proceeding to the next order of business.

HOUSE BILL NO. 962 WITH SEN-  
ATE AMENDMENTS

Mr. Jones of Angelina called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 962, A bill to be entitled "An Act amending Section 2 of Chapter 19 of the Local and Special Acts of the Forty-first Legislature of Texas, Fourth Called Session, so as to provide for the funding by the Commissioners' Court of Angelina County of any and all items of indebtedness outstanding on January 1, 1937, against the road and bridge fund of said County, including scrip and time warrants, by issuing coupon bonds of said County; providing that the Commissioners Court shall be authorized to levy and collect any and all of the special fifteen cents maintenance tax of said County for the payment of said bonds, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Jones of Angelina, the House concurred in the Senate amendments by the following vote:

## Yeas—119

Alexander	Kenyon
Alsup	King
Amos	Knetsch
Baker	Lankford
Beckworth	Lanning
Bell	Leonard
Blankenship	Leyendecker
Boethel	Little
Bond	Loggins
Boyer	London
Broadfoot	Lucas
Brown	Mauritz
Burton	Mays
Cagle	McCracken
Callan	McDonald
Carssow	McFarland
Cathey	McKee
Cauthorn	Metcalf
Celaya	Moffett
Cleveland	Monkhouse
Colquitt	Morris
Davis of Jasper	Morse
Dean	Newton
Deglandon	Nicholson
Derden	Oliver
Dickison	Patterson
Dollins	of Travis
England	Petsch
Farmer	Pope
Felty	Powell
Fielden	Prescott
Graves	Quinn
Hamilton	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Harbin	Riddle
Hardin	Roark
Harper	Ross
Harris of Archer	Russell
Harris of Dickens	Rutta
Hartzog	Schuenemann
Heflin	Settle
Herzik	Sewell
Holland	Sharpe
Hoskins	Shell
Howard	Simpson
Hull	Smith of Hopkins
Hyder	Smith of Tarrant
Jackson	Stevenson
James	Stinson
Johnson of Ellis	Stocks
Johnson	Talbert
of Tarrant	Tarwater
Jones of Angelina	Tennant
Jones of Atascosa	Tennyson
Jones of Falls	Thornton
Jones of Wise	Vale
Keefe	Wagoner
Kelt	Walker



Weldon	Worley	Deglandon	McKee
Wood		Derden	Metcalfe
	Absent	Dickison	Moffett
Adkins	Keith	Dollins	Morris
Bates	McConnell	England	Morse
Bradbury	McKinney	Farmer	Newton
Bradford	Palmer	Felty	Nicholson
Bridgers	Patterson of Mills	Fuchs	Oliver
Davis of Haskell	Ragsdale	Gibson	Palmer
Davison of Fisher	Reader	Hamilton	Patterson
Davisson	Smith	Hankamer	of Travis
of Eastland	of Matagorda	Hanna	Petsch
Fox	Thornberry	Harbin	Pope
Fuchs	Westbrook	Hardin	Powell
Gibson	Winfree	Harper	Prescott
Huddleston		Harris of Archer	Quinn
	Absent—Excused	Hartzog	Ragsdale
Harrell	Leath	Heflin	Reed of Bowie
Harris of Dallas	Mann	Herzik	Reed of Dallas
Kern	Skaggs	Holland	Rhodes
Langdon		Hoskins	Riddle
		Howard	Roark
		Hull	Ross
		Hyder	Russell
		Jackson	Rutta
		James	Schuenemann
		Johnson of Ellis	Settle
		Johnson	Sewell
		of Tarrant	Sharpe
		Jones of Angelina	Shell
		Jones of Atascosa	Simpson
		Jones of Falls	Smith of Hopkins
		Jones of Wise	Smith of Tarrant
		Kelt	Stevenson
		King	Stinson
		Knetsch	Stocks
		Lankford	Talbert
		Lanning	Tarwater
		Leonard	Tennant
		Leyendecker	Tennyson
		Little	Thornton
		Loggins	Vale
		London	Waggoner
		Lucas	Walker
		Mauritz	Weldon
		Mays	Westbrook
		McConnell	Winfree
		McCracken	Wood
		McDonald	Worley
		McFarland	
			Absent
		Alexander	Keith
		Bradford	Kenyon
		Bridgers	McKinney
		Davis of Haskell	Monkhouse
		Fielden	Patterson of Mills
		Fox	Reader
		Graves	Smith
		Harris of Dickens	of Matagorda
		Huddleston	Thornberry
		Keefe	
			Absent—Excused
		Harrell	Harris of Dallas

#### HOUSE BILL NO. 451 WITH SENATE AMENDMENTS

Mr. Smith of Hopkins called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 451, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendent of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Smith of Hopkins, the House concurred in the Senate amendments by the following vote:

Yeas—124

Adkins	Burton
Alsup	Cagle
Amos	Callan
Baker	Carssow
Bates	Cathey
Beckworth	Cauthorn
Bell	Celaya
Blankenship	Cleveland
Boethel	Colquitt
Bond	Davis of Jasper
Boyer	Davison of Fisher
Bradbury	Davisson
Broadfoot	of Eastland
Brown	Dean

Kern  
Langdon  
Leath

Mann  
Skaggs

# RELATIVE TO RESOLUTION PERIOD

Mr. Hull moved that the House dispense with the consideration of resolutions, at this time.

The motion was lost.

# HOUSE BILL NO. 847 WITH SENATE AMENDMENTS

Mr. Heflin called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 847, A bill to be entitled "An Act making a supplemental appropriation out of the general revenue of the State of Texas for the department of the State Auditor and Efficiency Expert to pay the salaries of temporary employed auditors and for office stationery and supplies, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Heflin, the House concurred in the Senate amendments by the following vote:

# Yeas—119

Adkins	England
Alexander	Farmer
Alsup	Felty
Amos	Fuchs
Baker	Gibson
Bates	Hamilton
Beckworth	Hankamer
Bell	Hanna
Blankenship	Hardin
Boethel	Harper
Bond	Harris of Archer
Boyer	Harris of Dickens
Bradbury	Hartzog
Brown	Heflin
Burton	Herzik
Callan	Holland
Carssow	Howard
Cathey	Huddleston
Cauthorn	Hull
Celaya	Hyder
Cleveland	Jackson
Colquitt	James
Davis of Jasper	Johnson of Ellis
Davisson	Johnson
of Eastland	of Tarrant
Dean	Jones of Angelina
Deglandon	Jones of Atascosa
Dickison	Jones of Falls
Dollins	Jones of Wise

Keefe  
Kelt  
King  
Knetsch  
Lanning  
Leyendecker  
Little  
Loggins  
London  
Lucas  
Mauritz  
Mays  
McConnell  
McCracken  
McDonald  
McFarland  
McKee  
McKinney  
Metcalf  
Moffett  
Monkhouse  
Morris  
Morse  
Newton  
Nicholson  
Oliver  
Palmer  
Patterson  
of Travis  
Petsch  
Pope  
Powell

Prescott  
Quinn  
Ragsdale  
Reader  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Riddle  
Roark  
Russell  
Rutta  
Schuenemann  
Sewell  
Sharpe  
Shell  
Simpson  
Smith of Hopkins  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Worley

# Nays—1

Lankford

# Absent

Bradford	Keith
Bridgers	Kenyon
Broadfoot	Leonard
Cagle	Patterson of Mills
Davis of Haskell	Ross
Davison of Fisher	Settle
Derden	Smith
Fielden	of Matagorda
Fox	Smith of Tarrant
Graves	Thornberry
Harbin	Wood
Hoskins	

# Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

# BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 367, "An Act granting to Mrs. Mary Esther Ramsey, and

the legal representatives of the estate of Virgie Ramsey, deceased, permission to bring suit against the State of Texas, and/or the State Highway Department, and/or Angelina County, Texas, in the District Court of Shelby County, Texas, for damages sustained by reason of the death of Virgie Ramsey, deceased, and for damages sustained to her automobile, and for damages sustained by reason of funeral expenses incurred, on account of the negligence of employees of the State Highway Department and/or Angelina County, Texas; providing for place of venue; providing that such suit may be filed within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit; recognizing the liability of the State of Texas and making appropriation for the payment of such judgment, if, as and when finally obtained; providing for the method of compromising and settling such claims, and declaring an emergency."

H. B. No. 747, "An Act fixing the amount of maximum fees that may be retained by Justices of the Peace and Constables in Counties containing not less than eleven thousand, nine hundred eighty (11,980) inhabitants, and not more than twelve thousand, one hundred (12,100) inhabitants according to the last preceding Federal Census, and declaring an emergency."

H. B. No. 724, "An Act amending Section 1, Chapter 24, Acts of the Regular Session, Forty-third Legislature, providing and fixing compensation for County Commissioners in certain counties, and declaring an emergency."

H. B. No. 599, "An Act providing for the organization of cooperative, non-profit, membership corporations for the purpose of engaging in rural electrification; defining terms; defining the powers and duties of such corporations; providing for the number of incorporators; providing the manner in which such corporations may be organized and prescribing the contents of the articles of incorporation; prohibiting the use of the words 'Electric Cooperative' by other corporations; providing for the execution, filing and recording of articles of incorporation and for the renewal of articles of incorporation; . . . etc., and declaring an emergency."

H. B. No. 603, "An Act to appropriate money from the General Revenue Fund to pay judgment for the sum of Twelve Hundred (\$1,200.00) Dollars against the State of Texas in favor of R. L. Winder in cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

H. B. No. 589, "An Act amending the charter of the City of Kingsville so that its city limits will include a parcel of land approximately three city blocks lying immediately south of the original campus of the Texas College of Arts and Industries; being a dormitory site recently purchased for the State of Texas by the Board of Directors of the Texas College of Arts and Industries; and thereby providing better police and fire protection to the properties now erected on this land, and declaring an emergency."

H. B. No. 298, "An Act requiring any person using any trap or similar device to take any of the birds or animals of this State, upon the private lands of another person in Henderson County, to first obtain and have in his possession a written permit; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act and repealing all laws in so far as they conflict with any provision of this Act."

H. B. No. 757, "An Act to provide for an open season to hunt, take or kill wild mourning doves in Cherokee County, Texas, and declaring an emergency."

H. B. No. 165, "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, giving additional authority to the Commissioners Court in certain counties relative to the compensation or salary to be paid county auditors in such counties, and declaring an emergency."

H. B. No. 568, "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, relative to the compensation or salary to be paid County Auditors in certain counties, and declaring an emergency."

#### HOUSE BILL NO. 202 WITH SENATE AMENDMENTS

Mr. Reed of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 202, A bill to be entitled "An Act providing that Senate Bill No. 146, Chapter 181, Subsection (2) of Section 12, enacted by the Regular Session of the Forty-fourth Legislature, be amended by eliminating said Subsection (2) and further providing for fifteen captains, twenty sergeants and three hundred privates in the Texas State Highway Patrol, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Reed of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—131

Adkins	Deglandon
Alexander	Derden
Alsup	Dickison
Amos	Dollins
Baker	England
Beckworth	Farmer
Bell	Felty
Blankenship	Fuchs
Boethel	Gibson
Bond	Graves
Bradbury	Hamilton
Bradford	Hankamer
Bridgers	Hanna
Broadfoot	Harbin
Brown	Hardin
Burton	Harper
Cagle	Harris of Archer
Callan	Harris of Dickens
Carssow	Hartzog
Cauthorn	Heflin
Celaya	Herzik
Cleveland	Holland
Colquitt	Hoskins
Davis of Haskell	Howard
Davis of Jasper	Huddleston
Davison	Hull
of Eastland	Jackson
Dean	James

Johnson of Ellis	Patterson
Johnson	of Travis
of Tarrant	Pope
Jones of Angelina	Powell
Jones of Atascosa	Prescott
Jones of Falls	Quinn
Jones of Wise	Reader
Keefe	Reed of Dallas
Keith	Rhodes
Kelt	Roark
Kenyon	Ross
King	Russell
Knetsch	Rutta
Lankford	Schuenemann
Lanning	Settle
Leath	Sewell
Leonard	Sharpe
Leyendecker	Shell
Little	Simpson
Loggins	Smith of Hopkins
London	Smith
Lucas	of Matagorda
Mauritz	Smith of Tarrant
Mays	Stevenson
McConnell	Stinson
McCracken	Stocks
McDonald	Talbert
McKee	Tarwater
McKinney	Tennant
Metcalfe	Tennyson
Moffett	Thornberry
Monkhouse	Thornton
Morris	Vale
Morse	Waggoner
Newton	Walker
Nicholson	Weldon
Oliver	Westbrook
Palmer	Winfree
Patterson of Mills	Wood
	Worley

Nays—1

Reed of Bowie

Absent

Bates	Hyder
Boyer	McFarland
Cathey	Petsch
Davison of Fisher	Ragsdale
Fielden	Riddle
Fox	

Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

#### PROPOSED AMENDMENT TO RULE NO. XIII OF THE HOUSE RULES

Mr. Morse offered the following resolution:

Be It Resolved by the House of Representatives, That Section 10, Rule 13, Rules of the House, be

amended so as to hereafter read as follows:

"Section 10. When a bill, resolution or other matter is pending before the House it may be laid on the table subject to call, and one legislative day's notice must be given before the proposition may be taken from the table, unless it be the same legislative day, in which case it can be taken from the table at any time, except when taking same from the table would interrupt the regular order of business. A bill, resolution or other matter can be taken from the table only by a majority vote of the House."

The resolution was read second time, and referred, by the Speaker, to the Committee on Rules.

#### GRANTING PERMISSION TO SUE STATE

Mr. Dollins offered the following resolution:

H. C. R. No. 82, Authorizing Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, trustee of the estate of Mary G. McCulloch, deceased, to sue the State of Texas and the Highway Department of Texas.

Whereas, The State Highway Department of the State of Texas, in carrying out certain improvements on the County Road in McLennan County, Texas, now part of State Highway No. 2, including the construction of bridge across the Brazos River on said Highway, such work being done under the control of the State Highway Department, and in accordance with plans and specifications prepared by it, and under contract let by it, did, according to the claims of Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, Trustee, of the estate of Mary G. McCulloch, deceased, who own lands jointly in proximity to said Highway, cause certain damage to their said lands, crops and personal property on said lands by changing the course of and diverting storm waters and the waters of the Brazos River on to and across said lands, and they desire to bring and maintain suit against the State of Texas, the State Highway Department of Texas, and the County of McLennan for the purpose of recovering their damages and deter-

mining which of said parties is liable therefor; and

Whereas, The said Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, Trustee, of the Estate of Mary G. McCulloch, claim that the damage that was so done to their lands, crops and personal property would not have taken place had not said road been constructed in the manner in which it was constructed or if it had not been constructed at all; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, Trustee, of the Estate of Mary G. McCulloch, deceased, be and they are hereby granted permission to bring and maintain said suit against the State of Texas and the State Highway Department of Texas, or either of them, or to join them, or either of them, as parties Defendant in said suit or suits against them and the County of McLennan in any Court of competent jurisdiction of the amount involved, in McLennan County, Texas, for the purpose of determining the compensation or damages, if any, the said Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, Trustee of the Estate of Mary G. McCulloch, deceased, are entitled to recover by reason of the premises above set out, and the liability, if any, of the State of Texas and the State Highway Department of Texas therefor, and that any damages or compensation therein determined to be owing to the said Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, Trustee of the Estate of Mary G. McCulloch, deceased, by the State of Texas or the State Highway Department of Texas, shall be paid out of the State Highway Funds; and, be it further

Resolved, That service of all necessary process may be had upon the Highway Commission of the State of Texas or the Attorney General of said State, with the same force and effect as in Civil cases is made and provided, and provided that any of the parties to said suit shall have the right to appeal; and, be it further

Resolved, That the Attorney General and the Highway Commission of the State of Texas, either or both,

be and are hereby authorized to compromise or otherwise settle any such suit, if, in the opinion of the Attorney General, or Highway Commission, the said Miss Loulie Gurley, a feme sole, Mrs. R. L. Stribling, a feme sole, and Davis Stribling, Trustee of the Estate of Mary G. McCulloch, deceased, are entitled to compensation because of their injury and damage, if any, and that the Comptroller be and is hereby authorized and instructed to settle same in compliance therewith, and charge same against the State Highway fund; and, be it further

Resolved, That any such suit shall be tried according to the same rules of law and procedure as to liability and defense of the State of Texas and the State Highway Department of Texas that would be applicable if such suit were brought against any private corporation under the same facts and circumstances as provided by the laws of this State.

DOLLINS,  
JONES of Falls.

The resolution was read second time, and referred, by the Speaker, to the Committee on State Affairs.

#### INVITATION TO VISIT NEFF PARK

Mr. Huddleston offered the following resolution:

H. C. R. No. 83, Extending Invitation to Members of the Legislature.

Whereas, On Sunday afternoon, April 4, 1937, beginning at one o'clock, C. C. C. Camp Number 817, located at Neff Park, will hold open house commemorating the Fourth Anniversary of the founding of the Civilian Conservation Corps; and

Whereas, This is a tie-in with a National Celebration in which many camps are participating, and the camp and park will be open for inspection, and an address will be given by former Governor Pat M. Neff, at this time; therefore, be it

Resolved, That the Members of the House of Representatives and the Members of the Senate be invited to attend this celebration on Sunday afternoon, April 4, 1937.

HUDDLESTON,  
JONES of Falls,  
DOLLINS,  
HOLLAND,  
CAGLE.

The resolution was read second time, and was adopted.

#### RELATIVE TO COMMITTEE ON PENITENTIARIES

Mr. Palmer offered the following resolution:

Whereas, It has been the duty of the Committee on Penitentiaries to visit the Prison and Prison Farms and make an inspection of the properties of the Prison Systems of Texas; and

Whereas, It has been a custom of the Committee on Penitentiaries to visit the Prison and Prison Farms; therefore, be it

Resolved by the House of Representatives of Texas, That the Committee on Penitentiaries be excused from attendance of House Sessions on dates of April 9 and 10, in order that they may visit the Prison System of Texas on said dates, and that the railroad and pullman fare from Austin to Houston and return be paid out of the contingent fund of the House of Representatives.

PALMER,  
HARRELL.

The resolution was read second time.

Mr. Alexander offered the following amendment to the resolution:

Amend the resolution by striking out last clause dealing with expenses of trip.

Mr. Palmer moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Mr. Bridgers offered the following amendment to the resolution:

Amend the resolution by changing the dates to read April 16 and 17.

The amendment was adopted.

The resolution, as amended, was adopted.

#### EXTENDING INVITATION TO VISIT HOUSE OF REPRESENTATIVES

Mr. Davisson of Eastland offered the following resolution:

Whereas, Austin is being honored by the presence of the personnel of the Cavalier de la Salle Missions, which are about to visit Texas; and

Whereas, General Perrier, of the French Army, representing the Academy of Sciences of Paris; Admiral Vedel, of the French Navy, representing the Compagnie Generale Transatlantique; M. Andre Chevrillon, representing the French Academy; M. Raymond Laurent, President of the City Council of Paris (Mayor of Paris); M. Jules Descombe, representing the Chamber of Commerce of Paris; M. James LeClerc, representing the French banks; Prince Achille Murat, representing the Automobile Club of France; M. Baumal, representing the French Associated Press; Canon Boisard, representing the Archbishop of Paris; and in addition to these there will be some twenty more distinguished French members and eight members of the Mission from Canada who will compose the Honorable Body; and

Whereas, Mayor Tom Miller, Governor James V. Allred and H. Y. Benedict, President of the University of Texas, will be invited to preside over the meeting; and

Whereas, This delegation of the Cavalier de la Salle Missions will arrive in Austin about 12:30 p. m., Saturday, April 3rd, 1937; and

Whereas, They would like to present to his Excellency, James V. Allred, a bust of de la Salle, made by a very famous French sculptor, offered by the Mission to the people of Texas to be placed in the State Capitol; now, therefore, be it

Resolved, That we extend to the personnel of the Cavalier de la Salle Missions an invitation to use the Hall of the House of Representatives on the afternoon of April 3rd, 1937, beginning at 12 o'clock noon, for the purpose of their own choosing, and that the proper display of flags be provided for this occasion.

The resolution was read second time, and was adopted.

#### TO PROVIDE FOR THE CONSIDERATION OF CERTAIN BILLS

Mr. McConnell offered the following resolution:

Whereas, There is now pending on the House calendar a number of bills relating to labor and the employment of laboring people; and

Whereas, It has been clearly demonstrated and everywhere conceded that the one important factor to overcome the depression and to promote prosperity is to provide employment for the unemployed and to better the working conditions of those employed; and

Whereas, At the present time there is a pressing need for urgent changes in our present law and likewise new additions necessary to be added to our present statutes affecting labor to improve the working conditions of laboring people; and

Whereas, During the Forty-fourth Legislature certain nights were set apart primarily for the purpose of considering only labor legislation and it is advisable and necessary that the Legislature convene at night during the present session to consider certain bills; therefore, be it

Resolved, That the House convene at 7:30 p. m., Monday night, April 5th, and Monday night, April 12th, and the regular order of business be suspended for the purpose of considering the following bills:

House Bill No. 19, by Mr. Quinn, Scrip Payment of Wages Law.

House Bill No. 43, by Mr. Farmer, Providing for wages to be paid to men, women and minors under certain conditions commensurate with the prevailing wage scale.

House Bill No. 82, by Mr. Winfree, Raising the maximum weekly allowance of the Workmen's Compensation Act from Twenty to Thirty Dollars.

House Bill No. 161, by Mr. Winfree, Dual Union Amendment on Charters.

House Bill No. 329, by Mr. Harris of Dallas and Mr. Tennant, Semi-monthly Pay Day Law.

House Bill No. 330, by Mr. Harris of Dallas and Mr. Tennant, Employment Agency Law (Civil).

House Bill No. 331, by Mr. Harris of Dallas and Mr. Tennant, Employment Agency Law (Penal).

House Bill No. 380, by Mr. Waggoner, Defining the word "Employee" and defining its scope of application.

House Bill No. 391, by Mr. McConnell, Providing for the filing of a bond to insure and guarantee the payment of wages in certain cases.

House Bill No. 406, by Mr. Bradbury, Providing for the setting aside of compromises in Workmen's Compensation cases where settlement is

made by fraud, misrepresentation, etc.

House Bill No. 420, by Mr. Alsup and Mr. Bradbury, Providing for Workmen's Compensation for State Employees.

House Bill No. 424, by Mr. Carsow, Industrial Home Work Law.

House Bill No. 502, by Mr. Worley and Mr. Davisson of Eastland, Prevailing Wage Law.

House Bill No. 644, by Mr. Winfree, An Injunction Law.

House Bill No. 897, by Mr. McConnell, Workmen's Compensation with respect to age disability.

House Bill No. 981, by Mr. Bradbury, Child Labor Law.

House Bill No. 242, by Mr. Winfree, Providing no distinction on account of age.

McCONNELL,  
SMITH of Tarrant,  
WINFREE,  
FARMER,  
AMOS,  
RUSSELL,  
DEGLANDON,  
BRADBURY,  
WORLEY,  
DAVIS of Jasper,  
OLIVER,  
WELDON,  
KELT.

The resolution was read second time.

Mr. Alsup raised a point of order, on further consideration of the resolution, at this time, on the ground that the time for consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Farmer moved that the time allotted for the consideration of resolutions be extended until the resolution is disposed of.

The motion was lost.

#### MESSAGE FROM THE SENATE

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 47, Granting J. W. Lindley and wife, Mrs. M. E. Pearl Lindley, permission to sue the State of Texas and the State Highway Department.

S. B. No. 208, A bill to be entitled "An Act providing that the sheriff may summons jurors in capital cases in counties having a city with a population of twenty thousand (20,000) or more, according to the last preceding Federal Census, either in person, verbally, or by registered United States mail, as the trial judge in his discretion may order, and declaring an emergency."

S. B. No. 226, A bill to be entitled "An Act to increase the police powers of all incorporated cities and towns, and declaring an emergency."

S. B. No. 216, A bill to be entitled "An Act to amend Article 5550, Revised Civil Statutes of Texas, 1925, providing for causes to be docketed in judicial proceedings in cases of lunacy, and declaring an emergency."

S. B. No. 113, A bill to be entitled "An Act to amend Chapter 209 of the Acts of the Regular Session of the Forty-third Legislature so as to define the rights and duties of the State Board of Education."

S. B. No. 248, A bill to be entitled "An Act making appropriation to pay past due rent on armories, and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act amending Article 6067 of the Revised Civil Statutes of Texas, and declaring an emergency."

S. B. No. 345, A bill to be entitled "An Act making appropriation for the support and maintenance of certain employees of the Motor Transportation Division of the Railroad Commission for the last six months of the current biennium ending August 31, 1937, and declaring an emergency."

S. B. No. 433, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in certain counties, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### CONCERNING TAXATION OF CERTAIN LANDS

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 51, Concerning taxation of certain lands.



Whereas, The Legislature of the State of Oklahoma has exhibited to the Legislature of the State of Texas a brief showing that, since Statehood, Oklahoma has been deprived of the right of taxation of Indian lands and oil and gas from restricted Indian lands, amounting to a large sum, which had to be provided by increased taxes on the remainder of the property belonging to other citizens of that State; and that the State of Oklahoma and its other citizens have sustained the loss of a large amount of revenue on account of such exemption and as a result thereof, have been compelled to bear the burden of the principal cost of government, education, highways and police protection enjoyed by the Indian population, wholly from taxes raised from the property of the taxable citizens of the State; and that the Indians enjoying such immunity from taxation are wards of the United States and not wards of the State of Oklahoma; and

Whereas, It appears from this showing that the citizens of the State of Oklahoma should be reimbursed by the United States and should not be required alone to bear this added burden; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Congress of the United States be requested to take the necessary steps to ascertain the amount of loss or detriment suffered by the State of Oklahoma and the people of Oklahoma, through a proper fact finding committee or Tribunal to make an adequate appropriation to reimburse the State of Oklahoma; be it further

Resolved, That the Secretary of State of the State of Texas be requested and instructed to send a duly authenticated copy of this resolution to the Honorable Sam Rayburn, Congressman from the State of Texas, and to the Honorable John N. Garner, Vice-President of the United States, and to the Honorable Allen G. Nichols, President Pro Tempore of the Senate of the State of Oklahoma, and to Honorable J. T. Daniel, Speaker of the House of Representatives of the State of Oklahoma.

The resolution was read second time.

Mr. Alexander moved to refer the resolution to the Committee on Interstate Cooperation.

Mr. Broadfoot moved to table the motion to refer the resolution.

The motion to table prevailed.

The resolution was then adopted.

#### CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 969

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 969:

Messrs. Smith of Tarrant, King, Johnson of Tarrant, Amos and Lanning.

#### CONFERENCE COMMITTEE APPOINTED ON SENATE BILL NO. 247

The Speaker announced the appointment of the following conference committee, on the part of the House, on Senate Bill No. 247:

Messrs. Petsch, Tennyson, Shell, Thornberry and Hankamer.

#### BILL ORDERED PRINTED IN MIMEOGRAPH FORM

Mr. Lucas moved that House Bill No. 600 be printed in mimeograph form and not otherwise printed.

Mr. Wood raised a point of order, on further consideration of the motion, at this time, on the ground that the time for the making of routine motions has expired.

The Speaker sustained the point of order.

Mr. Lucas moved that the House Rule, relative to the time allotted for the making of routine motions, be suspended for the purpose of making the above motion.

The motion prevailed.

On motion of Mr. Lucas, House Bill No. 600 was ordered printed in mimeograph form, and not otherwise printed.

#### NOTICES GIVEN

Mr. Reed of Dallas gave notice that he would, on the next legislative day, move to take up for consideration, at that time, House Bill No. 144,

which bill was heretofore laid on the table subject to call.

Mr. Worley gave notice that he would, on the next legislative day, move to take up for consideration, at that time, House Bill No. 373, which bill was heretofore laid on the table subject to call.

Mr. Hardin gave notice that he would, on the next legislative day, move to take up for consideration, at that time, House Bill No. 204, which bill was heretofore laid on the table subject to call.

Notices were given by the authors of all bills which were heretofore laid on the table subject to call, that motions would be made to take same up on the next legislative day.

#### RECESS

On motion of Mr. Johnson of Ellis, the House, at 12:00 o'clock m., took recess until 2:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

#### SENATE BILL NO. 332 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 332, A bill to be entitled "An Act to amend Section 17, H. B. No. 68, Chapter 3, of the Acts of the Regular Session of the Forty-fourth Legislature, so as to extend the time of existence of the Special District Court of Smith County, Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 323 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 323, A bill to be entitled "An Act to validate the consolidation of contiguous Independent School Districts lying in two or more adjoining counties and elections and proceedings in connection therewith."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 423 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 423, A bill to be entitled "An Act relating to the compensation of the county judge, sheriff, district attorney or criminal district attorney, and declaring an emergency."

The bill was read second time.

On motion of Mr. Hanna, the bill was laid on the table.

#### BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Morse, Senate Bill No. 447 was ordered not printed.

#### SENATE BILL NO. 447 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 447, A bill to be entitled "An Act prescribing certain conditions to be met before any grant or donation of State ad valorem taxes shall become finally effective in certain counties."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 107 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 107, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing body of each respective incorporated city and town to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory Board of Equalization, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 130 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 130, A bill to be entitled "An Act authorizing A. O. Harris, Mrs. A. O. Harris, and Mrs. Roberta Pearl Van Cleeve, the latter a widow, to sue the State of Texas through the Texas Highway Commission for damages resulting from personal injuries sustained on or about the 8th day of October, 1934, in or near the City of Fort Worth, Tarrant County, Texas, providing that venue in said suit shall be in Travis County, Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 304 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 304, A bill to be entitled "An Act to provide for the care, safe keeping, and custody of securities in which the sinking funds for the redemption and payment of outstanding bonds of any county of more than 190,000 population, or a navigation district in counties of more than 190,000 population, may have been invested by the legally authorized governing body thereof; providing for the audit thereof, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

#### Yeas—114

Adkins	Dean
Alsup	Deglandon
Amos	Derden
Baker	Dickison
Beckworth	Dollins
Blankenship	England
Boethel	Farmer
Boyer	Felty
Bradbury	Fielden
Bradford	Fuchs
Broadfoot	Gibson
Brown	Hamilton
Burton	Hankamer
Cagle	Hanna
Callan	Harbin
Carssow	Hardin
Cathey	Harris of Archer
Cauthorn	Harris of Dickens
Celaya	Heflin
Cleveland	Herzik
Colquitt	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Howard
Davison of Fisher	Hull
Davison	Hyder
of Eastland	Jackson

James	Powell
Johnson of Ellis	Prescott
Johnson	Quinn
of Tarrant	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Atascosa	Rhodes
Jones of Falls	Riddle
Jones of Wise	Roark
Keefe	Ross
Keith	Russell
Kelt	Rutta
King	Schuenemann
Knetsch	Settle
Lanning	Sharpe
Leonard	Shell
Leyendecker	Simpson
Little	Smith of Hopkins
London	Smith
Lucas	of Matagorda
Mays	Stocks
McCracken	Talbert
McDonald	Tennant
McKee	Tennyson
McKinney	Thornberry
Metcalfe	Thornton
Moffett	Vale
Monkhouse	Waggoner
Morris	Walker
Morse	Weldon
Newton	Westbrook
Oliver	Winfree
Patterson	Wood
of Travis	Worley

#### Nays—1

Lankford

#### Absent

Alexander	McFarland
Bates	Nicholson
Bell	Palmer
Bond	Patterson of Mills
Bridgers	Petsch
Fox	Pope
Graves	Ragsdale
Harper	Reader
Hartzog	Sewell
Huddleston	Smith of Tarrant
Kenyon	Stevenson
Loggins	Stinson
Mauritz	Tarwater
McConnell	

#### Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

#### SENATE BILL NO. 130 ON THIRD READING

Mr. Jones of Wise moved that the constitutional rule, requiring bills to be read on three several days, be sus-

pending, and that Senate Bill No. 130 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112	
Adkins	Kenyon
Alsup	King
Amos	Knetsch
Beckworth	Lankford
Blankenship	Lanning
Boethel	Leonard
Boyer	Leyendecker
Bradbury	Little
Bradford	London
Brown	Lucas
Burton	Mauritz
Callan	Mays
Carssow	McCracken
Cathey	McDonald
Cauthorn	McKee
Celaya	McKinney
Cleveland	Metcalfe
Colquitt	Moffett
Davis of Haskell	Monkhouse
Davis of Jasper	Morris
Davison of Fisher	Morse
Davisson	Newton
of Eastland	Nicholson
Dean	Oliver
Deglandon	Patterson
Derden	of Travis
Dickison	Powell
Dollins	Prescott
England	Quinn
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fuchs	Riddle
Gibson	Roark
Hamilton	Russell
Hankamer	Rutta
Hanna	Schuenemann
Harbin	Settle
Hardin	Sharpe
Harris of Archer	Shell
Harris of Dickens	Simpson
Heflin	Smith of Hopkins
Herzik	Smith
Holland	of Matagorda
Howard	Stocks
Hull	Talbert
Hyder	Tennant
Jackson	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Waggoner
Jones of Angelina	Walker
Jones of Atascosa	Weldon
Jones of Falls	Westbrook
Jones of Wise	Winfree
Keefe	Wood
Kelt	Worley

Nays—1

Ross

Absent

Alexander	Loggins
Baker	McConnell
Bates	McFarland
Bell	Palmer
Bond	Patterson of Mills
Bridgers	Petsch
Broadfoot	Pope
Cagle	Ragsdale
Fox	Reader
Graves	Sewell
Harper	Smith of Tarrant
Hartzog	Stevenson
Hoskins	Stinson
Huddleston	Tarwater
Keith	

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Speaker then laid Senate Bill No. 130 before the House on third reading and final passage.

The bill was read third time, and was passed.

#### SENATE BILL NO. 107 ON THIRD READING

Mr. Bradford moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 107 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adkins	Davis of Haskell
Alexander	Davis of Jasper
Alsup	Davison of Fisher
Amos	Davisson
Beckworth	of Eastland
Bell	Dean
Blankenship	Deglandon
Boethel	Derden
Boyer	Dickison
Bradbury	Dollins
Bradford	England
Broadfoot	Farmer
Brown	Felty
Burton	Fielden
Cagle	Fuchs
Callan	Gibson
Carssow	Hamilton
Cathey	Hankamer
Celaya	Hanna
Cleveland	Harbin

Hardin	Monkhouse
Harris of Archer	Morris
Harris of Dickens	Morse
Heflin	Newton
Herzik	Nicholson
Holland	Oliver
Hoskins	Powell
Howard	Prescott
Hull	Quinn
Hyder	Reed of Bowie
Jackson	Reed of Dallas
James	Rhodes
Johnson of Ellis	Roark
Johnson	Ross
of Tarrant	Russell
Jones of Angelina	Rutta
Jones of Falls	Schuenemann
Jones of Wise	Settle
Keefe	Sharpe
Keith	Shell
Kelt	Simpson
Kenyon	Smith of Hopkins
King	Smith
Knetsch	of Matagorda
Lankford	Stocks
Lanning	Talbert
Leonard	Tennant
Leyendecker	Tennyson
Little	Thornberry
Lucas	Thornton
Mauritz	Vale
Mays	Waggoner
McConnell	Walker
McCracken	Weldon
McDonald	Westbrook
McKee	Winfree
McKinney	Wood
Metcalfe	Worley
Moffett	

## Absent

Baker	Palmer
Bates	Patterson of Mills
Bond	Patterson
Bridgers	of Travis
Cauthorn	Petsch
Colquitt	Pope
Fox	Ragsdale
Graves	Reader
Harper	Riddle
Hartzog	Sewell
Huddleston	Smith of Tarrant
Jones of Atascosa	Stevenson
Loggins	Stinson
London	Tarwater
McFarland	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Speaker then laid Senate Bill No. 107 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Alexander	Knetsch
Alsup	Lankford
Amos	Lanning
Baker	Leonard
Beckworth	Leyendecker
Bell	Little
Boethel	London
Boyer	Lucas
Bradbury	Mauritz
Bradford	Mays
Burton	McConnell
Cagle	McCracken
Callan	McDonald
Carssow	McKee
Cauthorn	McKinney
Celaya	Metcalfe
Cleveland	Moffett
Davis of Haskell	Monkhouse
Davis of Jasper	Morris
Davison of Fisher	Morse
Davisson	Newton
of Eastland	Nicholson
Deglandon	Oliver
Derden	Powell
Dickison	Prescott
Dollins	Quinn
England	Reed of Bowie
Farmer	Reed of Dallas
Felty	Rhodes
Fielden	Roark
Fuchs	Ross
Gibson	Russell
Hamilton	Rutta
Hanna	Schuenemann
Hardin	Settle
Harris of Archer	Sharpe
Harris of Dickens	Shell
Heflin	Simpson
Herzik	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Howard	Stocks
Hyder	Talbert
Jackson	Tennant
James	Tennyson
Johnson of Ellis	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Weldon
Jones of Wise	Westbrook
Keefe	Winfree
Keith	Wood
King	Worley

## Nays—2

Adkins	Patterson
	of Travis

## Present—Not Voting

## Blankenship

## Absent

Bates	Kelt
Bond	Kenyon
Bridgers	Loggins
Broadfoot	McFarland
Brown	Palmer
Cathey	Patterson of Mills
Colquitt	Petsch
Dean	Pope
Fox	Ragsdale
Graves	Reader
Hankamer	Riddle
Harbin	Sewell
Harper	Smith of Tarrant
Hartzog	Stevenson
Huddleston	Stinson
Hull	Tarwater

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

## SENATE BILL NO. 323 ON THIRD READING

Mr. Cagle moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 323 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—115

Adkins	Davisson
Alexander	of Eastland
Alsup	Dean
Amos	Deglandon
Baker	Derden
Beckworth	Dickison
Bell	Dollins
Blankenship	England
Boethel	Farmer
Boyer	Felty
Bradbury	Fielden
Bradford	Fuchs
Brown	Gibson
Burton	Hamilton
Cagle	Hanna
Callan	Hardin
Carsow	Harris of Archer
Cathey	Harris of Dickens
Cauthorn	Heflin
Celaya	Herzik
Cleveland	Holland
Davis of Haskell	Howard
Davis of Jasper	Hull
Davis of Fisher	Hyder

## Jackson

## James

## Johnson of Ellis

## Johnson

## of Tarrant

## Jones of Angelina

## Jones of Atascosa

## Jones of Falls

## Jones of Wise

## Keefe

## Keith

## Kelt

## Kenyon

## King

## Knetsch

## Lankford

## Lanning

## Leonard

## Leyendecker

## Little

## London

## Lucas

## Mauritz

## Mays

## McConnell

## McCracken

## McDonald

## McKee

## Metcalf

## Moffett

## Monkhouse

## Morris

## Morse

## Newton

## Nicholson

## Oliver

## Palmer

## Patterson

## of Travis

## Petsch

## Powell

## Prescott

## Quinn

## Reed of Bowie

## Reed of Dallas

## Rhodes

## Roark

## Ross

## Russell

## Rutta

## Schuenemann

## Settle

## Sharpe

## Shell

## Simpson

## Smith

## of Matagorda

## Stocks

## Talbert

## Tennant

## Tennyson

## Thornberry

## Thornton

## Vale

## Waggoner

## Walker

## Weldon

## Westbrook

## Winfree

## Wood

## Worley

## Absent

Bates	McFarland
Bond	McKinney
Bridgers	Patterson of Mills
Broadfoot	Pope
Colquitt	Ragsdale
Fox	Reader
Graves	Riddle
Hankamer	Sewell
Harbin	Smith of Hopkins
Harper	Smith of Tarrant
Hartzog	Stevenson
Hoskins	Stinson
Huddleston	Tarwater
Loggins	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Speaker then laid Senate Bill No. 323 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—116

Adkins	Knetsch
Alexander	Lankford
Alsup	Lanning
Amos	Leath
Baker	Leyendecker
Beckworth	Little
Bell	London
Blankenship	Lucas
Boethel	Mauritz
Boyer	Mays
Bradbury	McConnell
Bradford	McCracken
Burton	McDonald
Cagle	McFarland
Callan	McKee
Carssow	McKinney
Cathey	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morris
Davis of Haskell	Morse
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Davisson	Oliver
of Eastland	Palmer
Dean	Patterson
Deglandon	of Travis
Dollins	Petsch
England	Powell
Farmer	Prescott
Felty	Quinn
Fielden	Reed of Bowie
Fox	Reed of Dallas
Fuchs	Rhodes
Gibson	Roark
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Harbin	Schuenemann
Hardin	Settle
Harris of Archer	Sharpe
Harris of Dickens	Shell
Heflin	Simpson
Herzik	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Howard	Stocks
Hull	Talbert
Jackson	Tennant
James	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale
Jones of Atascosa	Waggoner
Jones of Falls	Walker
Jones of Wise	Weldon
Keith	Westbrook
Kelt	Winfree
Kenyon	Wood
King	Worley

## Absent

Bates	Keefe
Bond	Leonard
Bridgers	Loggins
Broadfoot	Patterson of Mills
Brown	Pope
Colquitt	Ragsdale
Derden	Reader
Dickison	Riddle
Graves	Sewell
Harper	Smith of Tarrant
Hartzog	Stevenson
Huddleston	Stinson
Hyder	Tarwater
Johnson of Ellis	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

## SENATE BILL NO. 332 ON THIRD READING

Mr. Talbert moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—113

Adkins	Fuchs
Alexander	Gibson
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Beckworth	Harbin
Bell	Hardin
Blankenship	Harris of Archer
Boethel	Harris of Dickens
Boyer	Heflin
Bradbury	Holland
Bradford	Hoskins
Brown	Howard
Burton	Hull
Cagle	Hyder
Callan	Jackson
Carssow	James
Cathey	Johnson of Ellis
Cauthorn	Johnson
Celaya	of Tarrant
Cleveland	Jones of Angelina
Davis of Haskell	Jones of Atascosa
Davis of Jasper	Jones of Falls
Davison of Fisher	Jones of Wise
Dean	Keefe
Deglandon	Keith
Dickison	Kelt
England	Kenyon
Farmer	King
Felty	Knetsch
Fielden	Lanning

Leath	Reed of Dallas	Bradbury	London
Leyendecker	Rhodes	Bradford	Lucas
Little	Roark	Broadfoot	Mauritz
London	Russell	Brown	Mays
Lucas	Rutta	Burton	McConnell
Mays	Schuenemann	Cagle	McCracken
McConnell	Settle	Cailan	McDonald
McDonald	Sharpe	Carssow	McFarland
McFarland	Shell	Cathey	McKee
McKee	Simpson	Cauthorn	McKinney
McKinney	Smith of Hopkins	Celaya	Metcalfe
Metcalfe	Smith	Cleveland	Moffett
Moffett	of Matagorda	Davis of Haskell	Monkhouse
Monkhouse	Stocks	Davis of Jasper	Morris
Morris	Talbert	Davison of Fisher	Morse
Morse	Tennant	Dean	Newton
Newton	Tennyson	Deglandon	Nicholson
Nicholson	Thornberry	Dickison	Oliver
Oliver	Thornton	Dollins	Palmer
Patterson	Vale	Farmer	Petsch
of Travis	Waggoner	Felty	Powell
Petsch	Walker	Fielden	Prescott
Powell	Weldon	Fuchs	Quinn
Prescott	Westbrook	Gibson	Ragsdale
Quinn	Winfree	Hamilton	Reed of Bowie
Ragsdale	Wood	Hankamer	Reed of Dallas
Reed of Bowie	Worley	Hanna	Rhodes
		Harbin	Roark
		Hardin	Ross
		Harris of Archer	Russell
		Harris of Dickens	Rutta
		Holland	Schuenemann
		Howard	Settle
		Hyder	Sharpe
		Jackson	Shell
		James	Simpson
		Johnson of Ellis	Smith of Hopkins
		Johnson	Smith
		of Tarrant	of Matagorda
		Jones of Angelina	Stocks
		Jones of Atascosa	Talbert
		Jones of Falls	Tennant
		Jones of Wise	Tennyson
		Keefe	Thornberry
		Kelt	Thornton
		Kenyon	Vale
		King	Waggoner
		Knetsch	Walker
		Lankford	Weldon
		Lanning	Westbrook
		Leath	Winfree
		Leonard	Wood
		Leyendecker	Worley
			Absent
		Bates	Graves
		Bond	Harper
		Bridgers	Hartzog
		Colquitt	Heflin
		Davisson	Herzik
		of Eastland	Hoskins
		Derden	Huddleston
		England	Hull
		Fox	Keith

## Absent

Bates	Leonard
Bond	Loggins
Bridgers	Mauritz
Broadfoot	McCracken
Colquitt	Palmer
Davisson	Patterson of Mills
of Eastland	Pope
Derden	Reader
Dollins	Riddle
Fox	Ross
Graves	Sewell
Harper	Smith of Tarrant
Hartzog	Stevenson
Herzik	Stinson
Huddleston	Tarwater
Lankford	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

The Speaker then laid Senate Bill No. 332 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adkins	Beckworth
Alexander	Bell
Alsup	Blankenship
Amos	Boethel
Baker	Boyer



Little	Riddle
Loggins	Sewell
Patterson of Mills	Smith of Tarrant
Patterson	Stevenson
of Travis	Stinson
Pope	Tarwater
Reader	

Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

## SENATE BILL NO. 447 ON THIRD READING

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 447 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adkins	Holland
Alexander	Howard
Alsup	Hull
Amos	Hyder
Beckworth	Jackson
Bell	James
Blankenship	Johnson of Ellis
Boethel	Johnson
Boyer	of Tarrant
Bradbury	Jones of Angelina
Bradford	Jones of Atascosa
Brown	Jones of Falls
Burton	Jones of Wise
Cagle	Keefe
Callan	Kelt
Carssow	Kenyon
Cathey	King
Cauthorn	Knetsch
Celaya	Lanning
Cleveland	Leath
Davis of Haskell	Leonard
Davis of Jasper	Leyendecker
Davison of Fisher	London
Deglandon	Lucas
Derden	Mann
Dickison	Mauritz
Dollins	Mays
Farmer	McConnell
Felty	McCracken
Fielden	McDonald
Fuchs	McFarland
Gibson	McKee
Hamilton	McKinney
Hankamer	Metcalfe
Hanna	Moffett
Harbin	Monkhouse
Hardin	Morris
Harris of Archer	Morse
Harris of Dickens	Newton
Heflin	Nicholson

Oliver	Smith of Hopkins
Palmer	Smith
Petsch	of Matagorda
Powell	Stocks
Prescott	Talbert
Quinn	Tennant
Ragsdale	Tennyson
Reed of Bowie	Thornberry
Reed of Dallas	Thornton
Rhodes	Vale
Roark	Walker
Ross	Weldon
Russell	Westbrook
Rutta	Winfree
Settle	Wood
Sharpe	Worley
Simpson	

Nays—1

Lankford

Absent

Baker	Keith
Bates	Little
Bond	Loggins
Bridgers	Patterson of Mills
Broadfoot	Patterson
Colquitt	of Travis
Davisson	Pope
of Eastland	Reader
Dean	Riddle
England	Schuenemann
Fox	Sewell
Graves	Shell
Harper	Smith of Tarrant
Hartzog	Stevenson
Herzik	Stinson
Hoskins	Tarwater
Huddleston	Waggoner

Absent—Excused

Harrell	Langdon
Harris of Dallas	Skaggs
Kern	

The Speaker then laid Senate Bill No. 447 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adkins	Cagle
Alexander	Callan
Alsup	Carssow
Amos	Cathey
Beckworth	Cauthorn
Bell	Celaya
Blankenship	Davis of Haskell
Boethel	Davis of Jasper
Boyer	Davison of Fisher
Bradbury	Dean
Broadfoot	Deglandon
Burton	Dickison

Dollins	McKinney
Farmer	Metcalfe
Felty	Moffett
Fielden	Monkhouse
Fuchs	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Hardin	Palmer
Harris of Archer	Patterson
Harris of Dickens	of Travis
Heflin	Powell
Holland	Prescott
Hoskins	Quinn
Howard	Ragsdale
Hull	Reed of Bowie
Hyder	Reed of Dallas
James	Rhodes
Johnson of Ellis	Riddle
Johnson	Roark
of Tarrant	Ross
Jones of Angelina	Russell
Jones of Atascosa	Rutta
Jones of Falls	Schuenemann
Jones of Wise	Settle
Keefe	Sharpe
Keith	Shell
Kelt	Simpson
Kenyon	Smith of Hopkins
King	Smith
Knetsch	of Matagorda
Lanning	Stocks
Leath	Talbert
Leonard	Tennant
Leyendecker	Tennyson
Little	Thornberry
London	Thornton
Lucas	Vale
Mann	Waggoner
Mauritz	Walker
Mays	Weldon
McConnell	Westbrook
McCracken	Winfree
McDonald	Wood
McFarland	Worley
McKee	

Nays—1

Lankford

Absent

Baker	Fox
Bates	Graves
Bond	Harbin
Bradford	Harper
Bridgers	Hartzog
Brown	Herzik
Cleveland	Huddleston
Colquitt	Jackson
Davison	Loggins
of Eastland	Patterson of Mills
Derden	Petsch
England	Pope

Reader	Stevenson
Sewell	Stinson
Smith of Tarrant	Tarwater

Absent—Excused

Harrell	Langdon
Harris of Dallas	Skaggs
Kern	

## MESSAGE FROM THE SENATE

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 353, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue Fund of the State of Texas for the Live Stock Sanitary Commission for the balance of the fiscal year ending August 31, 1937, to cover the purchase of dip materials, marking paint salaries of inspectors, salaries of county supervisors, salaries of district supervisors, and traveling expenses, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

## MESSAGE FROM THE SENATE

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 337, A bill to be entitled "An Act making an appropriation to pay the increase of salaries to District Judges as authorized by H. B. No. 10, Acts of the Regular Session of the Forty-fifth Legislature, and providing for method of payment of such salaries, and declaring an emergency."

S. B. No. 417, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in any county having a population of not more than 15,175 and not less than 15,125 inhabitants according to the last preceding census; regulating the salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

# SENATE BILL NO. 74 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 74, A bill to be entitled "An Act defining and regulating the practice of professional engineering in the State of Texas."

The bill having heretofore been read second time.

(Mr. Alexander in the Chair.)

Mr. Celaya offered the following committee amendment to the bill:

Amend Senate Bill No. 74, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That in order to safeguard life, health, and property, any person practicing or offering to practice the profession of engineering shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or offer to practice the profession of engineering in this State, or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer unless such person has been duly registered or exempted under the provisions of this Act.

Section 2. Definitions.—The term professional engineer as used in this Act shall mean a person who, by reason of his knowledge of mathematics, the physical sciences, and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in engineering practice as hereinafter defined.

The practice of professional engineering within the meaning and intent of this Act includes any professional service, such as consultation, investigation, evaluation, planning, design, or responsible supervision of construction in connection, with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare, or the safeguarding of life, health or property is concerned or involved, when such professional service requires the application of engineering principles and data.

The term Board as used in this Act shall mean the State Board of Registration for Professional Engineers, provided for by this Act.

Section 3. State Board of Registration for Professional Engineers.—Appointment of Members.—Terms.—A State Board of Registration for Professional Engineers is hereby created whose duty it shall be to administer the provisions of this Act. The Board shall consist of six professional engineers, who shall be appointed by the Governor of the State, with the advice and consent of the Senate, and shall have the qualifications required by Section 4 of this Act. The members of the first Board shall be appointed within ninety (90) days after this Act becomes effective, to serve the following terms: Two members for two years; two members for four years; and two members for six years, from the date of their appointment or until their successors are duly appointed and qualified. Thereafter, at the expiration of the term of each member first appointed, his successor shall be appointed by the Governor of the State and he shall serve for a term of six years or until his successor shall be appointed and qualified. Before entering upon the duties of his office each member of the Board shall take the constitutional oath of office and the same shall be filed with the Secretary of State. Each member of the Board first appointed hereunder shall receive a certificate of registration under this Act from said Board.

Section 4. Qualifications of Members of Board.—Each member of the Board shall be a citizen of the United States and a resident of this State for a period of five (5) years prior to his appointment, and shall have been engaged in the practice of the profession of engineering for at least five (5) years, two (2) years of which may be credited for graduation from an approved engineering school, and shall have been in responsible charge of important engineering work for at least two (2) years. Responsible charge of engineering teaching may be construed as responsible charge of important engineering work.

Section 5. Compensation and Expenses of Board Members.—Each member of the Board shall receive the sum of Ten (\$10.00) Dollars per day

for each day he is actually engaged in the duties of his office, including time spent in necessary travel, together with all legitimate expenses incurred in the performance of such duties. All per diem and expenses incurred hereunder shall be paid from moneys received by the Board from examination and registration fees and from the "Professional Engineering Fund" as provided in this law; no money shall ever be paid to any member of the Board from the General Fund of the State.

**Section 6. Removal of Members of Board.—Vacancies.**—The Governor may remove any member of the Board for misconduct, incompetency, or neglect of duty. Vacancies in the membership of the Board shall be filled for the unexpired term by appointment by the Governor as provided in Section 3.

**Section 7. Organization and Meetings of the Board.**—The Board shall hold a meeting within thirty (30) days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such time as the by-laws of the Board may provide. Notice of all meetings shall be given in such manner as the by-laws may provide. The Board shall elect or appoint annually from its own membership the following officers: A Chairman, a Vice-Chairman, and a Secretary. A quorum of the Board shall consist of not less than four members.

**Section 8. Powers of the Board.**—The Board shall have the power to make all by-laws and rules, not inconsistent with the Constitution and Laws of this State, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The Board shall adopt and have an official seal. The Board shall have such additional power as may be conferred by other provisions of this Act.

**Section 9. Receipts and Disbursements.**—The Secretary of the Board shall receive and account for all moneys derived under the provisions of this Act, and shall pay the same monthly to the State Treasurer who shall keep such moneys in a separate fund to be known as the "Professional Engineers' Fund". Such fund shall be kept separate and apart from

all other moneys in the Treasury, and shall be paid out only by warrant of the State Comptroller upon the State Treasurer, upon itemized vouchers, approved by the Chairman and attested by the Secretary of the Board. All moneys in the "Professional Engineers' Fund" are hereby specifically appropriated for the use of the Board. The Secretary of the Board shall give a surety bond to this State in such sum as the Board may determine. The premium on said bond shall be regarded as a proper and necessary expense of the Board, and shall be paid out of the "Professional Engineers' Fund". The Secretary of the Board shall receive such salary as the Board shall determine in addition to the compensation and expenses provided for in Section 5. The Board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which in the opinion of the Board is reasonably necessary for the proper performance of its duties under this Act, including the expense of the Board's delegates to annual convention of, and membership dues to, the National Council of State Boards of Engineering Examiners. Under no circumstances shall the total amount of warrants issued by the State Comptroller in payment of the expenses and compensation provided for in this Act exceed the amount of the examination and registration fees collected as herein provided.

**Section 10. Records and Reports.**—The Board shall keep a record of its proceedings and register of all applications for registration, which register shall show (a) the name, age and residence of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the Board; and (i) such other information as may be deemed necessary by the Board.

The records of the Board, which shall be available to the public at all times and shall be prima facie evidence of the proceedings of the Board set forth therein, and a transcript

thereof, duly certified by the Secretary of the Board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

Annually, as of August 31st, the Board shall submit to the Governor a report of its transactions of the preceding year, and shall also transmit to him a complete statement of the receipts and expenditures of the Board, attested by affidavits of its Chairman and its Secretary.

**Section 11. Roster of Registered Engineers.**—A roster showing the names and places of business of all registered professional engineers shall be prepared by the Secretary of the Board during the month of July of each year, commencing one year from the date this law becomes effective. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public upon request.

**Section 12. General Requirements for Registration.**—The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for registration as a professional engineer, to-wit:

(1) As a professional engineer;

(a) Graduation from an approved course in engineering of four years or more in a recognized school or college approved by the Board as of satisfactory standing, and a specific record of an additional four years or more of active practice in engineering work, of a character satisfactory to the Board, indicating that the applicant is competent to be placed in responsible charge of such work; or

(b) Successfully passing a written, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation from an approved four years engineering course; and a specific record of eight years or more of active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is competent to be placed in responsible charge of such work.

At any time within five years after this Act becomes effective the Board may accept as evidence that the applicant is qualified for registration as a professional engineer a specific record of twelve years or more of lawful active practice in engineering

work of a character satisfactory to the Board and indicating that the applicant is qualified to design, to operate, or to supervise construction of engineering works and has had responsible charge of important engineering work for at least five years, and provided applicant is not less than thirty-five years of age.

After this Act shall have been in effect five years, the Board shall issue Certificates of Registration only to those applicants who meet the requirements of Section 12, 1 (a) or (b), or Section 21.

Provided, that no person shall be eligible for registration as a professional engineer who is not of good character and reputation.

In considering the qualifications of applicants, responsible charge of engineering teaching may be construed as responsible charge of engineering work. The satisfactory completion of each year of an approved course in engineering in a school or college approved by the Board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of active practice. Graduation in a course other than engineering from a college or university of recognized standing shall be considered as equivalent to two years of active practice; provided, however, that no applicant shall receive credit for more than four years of active practice because of educational qualifications. The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of such work as foreman or superintendent shall not be deemed to be active practice in engineering work.

Any person having the necessary qualifications prescribed in this Act to entitle him to registration shall be eligible for such registration though he may not be practicing his profession at the time of making his application.

**Section 13. Application and Registration Fees.**—Applications for registration shall be on forms prescribed and furnished by the Board, shall contain statements made under oath, showing the applicant's education and detail summary of his technical work, and shall contain not less than five references, of whom three or more shall be engineers having personal knowledge of his engineering experience.

The registration fee for professional engineers shall be Twenty-five (\$25.00) Dollars, Fifteen (\$15.00) Dollars of which shall accompany application, the remaining Ten (\$10.00) Dollars to be paid upon issuance of certificate. When a Certificate of Qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total fee for registration as professional engineer shall be Ten (\$10.00) Dollars.

Section 14. When oral or written examinations are required, they shall be held at such time and place as the Board shall determine. The scope of the examinations and the methods of procedure shall be prescribed by the Board with special reference to the applicant's ability to design and supervise engineering works which shall insure the safety of life, health, and property. Examinations shall be given for the purpose of determining the qualifications of applicants for registration in professional engineering. A candidate failing on examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fees. Re-examination may be granted at any time upon payment of a fee to be determined by the Board.

Section 15. Certificates, Seals. The Board shall issue a certificate of registration upon payment of registration fee as provided for in this Act, to any applicant, who, in the opinion of the Board, has satisfactorily met all the requirements of this Act. In case of a registered engineer, the certificate shall authorize the practice of professional engineering. Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the Chairman and the Secretary of the Board under seal of the Board.

The issuance of a certificate of registration by this Board shall be evidence that the person named therein is entitled to all rights and privileges of a registered professional engineer, while the said certificate remains unrevoked or unexpired.

Each registrant hereunder shall upon registration obtain a seal of the design authorized by the Board, bearing the registrant's name and the legend, "Registered Professional Engineer". Plans, specifications, plats, and reports issued by a registrant shall be stamped with the said seal when filed with public authorities, dur-

ing the life of the registrant's certificate, but it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

Section 16. Expiration and Renewals. Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the Secretary of the Board to notify every person registered under this Act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of a fee of Five (\$5.00) Dollars. The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December shall be increased ten per cent for each month or fraction of a month that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

Section 17. Firms, Partnerships, Corporations and Joint Stock Associations.—A firm, or a co-partnership, or a corporation, or a joint stock association may engage in the practice of professional engineering in this State, provided such practice is carried on by only professional engineers registered in this State.

Section 18. Practitioners at Time Act Becomes Effective.—At any time within one year after this Act becomes effective, upon due application therefor and the payment of the registration fee of Twenty-five (\$25.00) Dollars for professional engineers, the Board shall issue a certificate of registration, without oral or written examination, to any professional engineer who shall submit evidence under oath satisfactory to the Board that he is of good character, has been a resident of the State of Texas for at least one year immediately preceding the date of his appli-

cation, and was practicing professional engineering if an engineer at the time this Act became effective, and has had responsible charge of work of a character satisfactory to the Board.

After this Act shall have been in effect one year, the Board shall issue certificates of registration only as provided for in Section 12 or Section 21 thereof.

**Section 19. Public Work.** After the first day of January, 1938, it shall be unlawful for this State, or for any of its political subdivisions, for any county, city, or town, to engage in the construction of any public work involving professional engineering, unless the plans and specifications and estimates have been prepared by, and the construction executed under, the direct supervision of a registered professional engineer; provided, that nothing in this Section shall be held to apply to any public work wherein the contemplated expenditure for the completed project does not exceed Two Thousand (\$2,000.00) Dollars.

**Section 20. Exemptions.** The following persons shall be exempt from the provisions of this Act, to-wit:

(a) A person not a resident of and having no established place of business in this State, practicing or offering to practice here the profession of engineering, when such practice does not exceed in the aggregate more than sixty days in any calendar year; provided, such person is legally qualified by registration to practice the said profession in his own State or County in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this Act.

(b) A person not a resident of and having no established place of business in this State, or who has recently become a resident thereof, practicing or offering to practice herein for more than sixty days in any calendar year the profession of engineering, if he shall have filed with the Board an application for a certificate of registration and shall have paid the fee required by this Act. Such exemption shall continue only for such time as the Board requires for the consideration of the application for registration; provided, that such a person is legally qualified to practice said profession in his own State or Country in which the requirements and qualifications for obtaining a certificate of registration

are not lower than those specified in this Act.

(c) An employee or a subordinate of a person holding a certificate of registration under this Act, or an employee of a person exempted from registration by Classes (a) and (b) of this Section; provided, his practice does not include responsible charge of design or supervision.

(d) Officers and employees of the Government of the United States while engaged within this State in the practice of the profession of engineering for said Government.

(e) Nothing in this Act shall be construed to apply in any way to locomotive or stationary engineers.

**Section 21. Reciprocity.** The Board may, upon application therefor, and the payment of a fee of Ten (\$10.00) Dollars issue a Certificate of Registration as a Professional Engineer to any person who holds a Certificate of Qualification or Registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any State or Territory or Possession of the United States, or any Country, provided that the requirements for the registration of professional engineers under which said Certificate of Qualification or registration was issued do not conflict with the provisions of this Act and are of a standard not lower than that specified in Section 12 of this Act.

**Section 22. Revocations and Re-Issuances of Certificates.**—The Board shall have the power to revoke the certificate of registration of any registrant who is found guilty of:

(a) The practice of any fraud or deceit in obtaining a certificate of registration;

(b) Any gross negligence, incompetency, or misconduct in the practice of professional engineering as a registered professional engineer.

In determining any such charges the Board shall proceed upon sworn information furnished it by any reliable resident of this State; such information shall be in writing and shall be duly verified by the person familiar with the facts therein charged, and three copies of the same shall be filed with the Secretary of the Board. Upon receipt of such information the Board, if it deems the

information sufficient to support further action on its part, shall make an order setting the charge therein contained for hearing at a specified time and place, and the Secretary of the Board shall cause a copy of the Board's order and of the information to be served upon the accused at least thirty days before the date appointed in the order for the hearing. The accused may appear in person or by council, or both, at the time and place named in the order and make his defense to the same. If the accused fails or refuses to appear, the Board may proceed to hear and determine the charges in his absence. If the accused pleads guilty, or upon a hearing of the charges the Board and a majority of its members shall find them to be true, it may enter an order revoking the certificate of registration of such registered professional engineer. The Board shall have the power, through its Chairman or Secretary, to administer oaths and compel the attendance of witnesses before it as in civil cases in the District Court by subpoena issued over the signature of the Secretary and seal of the Board. If the accused desires the evidence to be preserved and shall so inform the Board before the hearing is begun and shall deposit with the Board such a sum of money as the Board may deem reasonably necessary for the employment of a stenographer, then the Board shall employ such stenographer and when so employed he shall be the official stenographer of the Board for the purpose of reporting the evidence and proceedings of such Board. In proceedings under this Section, as under others, a majority of the Board shall constitute a quorum.

When the Board has completed such hearing it shall make a record of its findings and order and shall cause a certified copy thereof to be forwarded to the accused.

Any person who may feel himself aggrieved by reason of the revocation of his certificate of registration by the Board, as hereinabove authorized, shall have the right to file suit within thirty days after receiving notice of the Board's order revoking his certificate of registration, in the District Court of the County of his residence, or of the county in which the alleged offense relied upon as grounds for revocation took place, to annul or vacate the order of the Board re-

voking the certificate of registration. Said suit shall be filed against the Board as defendant, and service of process may be had upon its Chairman or Secretary. The suit shall be tried as other civil cases. The burden of proof devolving upon the plaintiff assailing the order of revocation.

The Board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, provided four or more members of the Board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the Board, and a charge of Three (\$3.00) Dollars shall be made for such issuance.

Section 23. Violations and Penalties. On or after the first day of January, 1938, any person who shall practice, or offer to practice, the profession of engineering in this State without being registered or exempted in accordance with the provisions of this Act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the Board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use any expired or revoked certificate of registration, or any person who shall violate any of the provisions of this Act shall be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or be confined in jail for a period of not exceeding three months, or both. Each day of such violation shall be a separate offense.

The Board is charged with the duty of aiding in the enforcement of the provisions of this Act, and any member of the Board may present to a prosecuting officer complaints relating to violations of any of the provisions of this Act; and the Board through its members, officers, a council and agents may assist in the trial of any cases involving alleged violations of said statutes, subject to the control of the prosecuting officers.



The Attorney General or his assistant shall act as legal advisor of the Board and shall render such legal assistance as may be necessary in enforcing and making effective the provisions of this Act; provided that this shall not relieve the local prosecuting officers of any of their duties under the law as such.

Section 24. Invalid Portions. If any article, section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 25. Repeal of Conflicting Legislation with Proviso. All laws or parts of laws in conflict with the provisions of this Act shall be and the same are hereby repealed. Provided, however, that this Act shall not be construed as repealing or amending any law affecting or regulating Licensed State Land Surveyors; and such Licensed State Land Surveyors in performing their duties as such shall not be subject to the provisions of this Act; nor shall this Act be construed to affect or prevent the practice of any other legally recognized profession by the members of such profession licensed by the State or under its authority.

Section 26. The fact that there is at this time no law requiring professional engineers to be registered, and the further fact that there are a large number of persons calling themselves engineers who are not efficient; and the further fact that the public is paying large sums of money for construction and have no way of knowing the qualifications of the engineers employed on these constructions and have no protection from this incompetence, and the further fact that the Legislative Calendar is crowded with bills, creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule which requires bills to be read in each House on three several days and that such rule be and the same is hereby suspended and that this Act shall take

effect and be in force from and after its passage and it is so enacted.

Mr. Hardin offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, Section 20, by adding at the end of Subsection "E" the following:

"Nor shall this Act be construed to affect or prevent the practice of engineering or use of the term 'engineering' as applied to the supervision over the installation, repair, and operation of equipment relating to power plant practice which shall include steam boilers, stationary, Diesel, hoisting and electrical engines, internal combustion engines, and refrigeration compressors and systems; nor shall this Act be construed to prevent any engineer from identifying himself in the name and trade of any engineers' organization that he may be affiliated with."

HARDIN,  
FARMER.

The amendment to the committee amendment was adopted.

Mr. Stevenson offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, as follows:

"Any engineer licensed under this Act shall be eligible to hold any appointive engineering position with the State of Texas."

The amendment to the committee amendment was adopted.

Mr. Hardin offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, by striking out the words and figures "twelve (12)" in Section 4, and substitute the words and figures "five (5) years".

The amendment to the committee amendment was adopted.

Mr. Hardin offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, by striking out in Section 9 the following: "including the expense of the Board's delegates to annual convention of, and membership dues to the National Council of State Boards of Engineering Examiners".

The amendment to the committee amendment was adopted.

Mr. Jones of Wise offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, by adding at the end of Section 5 the following:

"Provided, that the expenditures hereunder shall never exceed Five Thousand (\$5,000.00) Dollars, for any one year and at the close of each year all unexpended funds collected hereunder shall be transferred to the General Revenue Fund."

The amendment to the committee amendment was adopted.

Mr. Prescott offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, by striking out the figures "Two Thousand (\$2,000.00) Dollars", and insert in lieu thereof the figures "Five Thousand (\$5,000.00) Dollars" in last line of Section 19.

Mr. Wood offered the following substitute for the amendment by Mr. Prescott:

"Amend committee amendment to Senate Bill No. 74, by striking out Section 19 of said amendment."

Mr. Celaya moved to table the substitute amendment by Mr. Wood.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

## Yeas—54

Amos	Howard
Bell	Hull
Blankenship	Hyder
Boethel	Johnson
Boyer	of Tarrant
Bradbury	Jones of Angelina
Bridgers	Kelt
Burton	Knetsch
Carssow	Leonard
Cauthorn	Leyendecker
Celaya	London
Davis of Haskell	Mays
Davison of Fisher	McConnell
Dean	McCracken
Dickison	McDonald
Dollins	McKee
Farmer	Metcalfe
Felty	Monkhouse
Fuchs	Morse
Hartzog	Nicholson
Heflin	Quinn
Herzik	Reed of Dallas
Holland	Ross

Rutta	Smith of Tarrant
Settle	Stinson
Sharpe	Thornberry
Smith	Vale
of Matagorda	Winfree

## Nays—58

Adkins	Leath
Alsup	Lucas
Bond	McFarland
Broadfoot	McKinney
Brown	Moffett
Cagle	Morris
Callan	Palmer
Cleveland	Patterson
Davis of Jasper	of Travis
Davisson	Pope
of Eastland	Powell
Deglandon	Prescott
Derden	Reed of Bowie
England	Rhodes
Fielden	Roark
Gibson	Russell
Hamilton	Schuenemann
Harbin	Simpson
Hardin	Smith of Hopkins
Harris of Archer	Stocks
Harris of Dickens	Talbert
Hoskins	Tarwater
Huddleston	Tennant
Jackson	Tennyson
James	Thornton
Johnson of Ellis	Waggoner
Jones of Wise	Weldon
King	Westbrook
Lankford	Wood
Lanning	Worley

## Absent

Alexander	Kenyon
Baker	Little
Bates	Loggins
Beckworth	Mauritz
Bradford	Newton
Cathey	Oliver
Colquitt	Patterson of Mills
Fox	Petsch
Graves	Ragsdale
Hankamer	Reader
Hanna	Riddle
Harper	Sewell
Jones of Atascosa	Shell
Jones of Falls	Stevenson
Keefe	Walker
Keith	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

Question recurring on the substitute amendment by Mr. Wood, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:  
Yeas, 59; nays, 57.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

## Yeas—59

Adkins	Lankford
Alsup	Lanning
Bates	Leath
Beckworth	Lucas
Bell	Moffett
Bradbury	Morris
Broadfoot	Palmer
Cagle	Patterson
Callan	of Travis
Cathey	Powell
Cleveland	Prescott
Davis of Jasper	Quinn
Davisson	Reed of Bowie
of Eastland	Rhodes
Deglandon	Roark
Derden	Russell
England	Simpson
Fielden	Smith of Hopkins
Fuchs	Stocks
Gibson	Talbert
Hamilton	Tarwater
Hardin	Tennant
Harris of Archer	Tennyson
Harris of Dickens	Thornton
Hoskins	Waggoner
Huddleston	Walker
James	Weldon
Johnson of Ellis	Westbrook
Jones of Falls	Wood
Jones of Wise	Worley
King	

## Nays—54

Amos	Hull
Blankenship	Hyder
Boethel	Jackson
Bond	Johnson
Boyer	of Tarrant
Bridgers	Jones of Angelina
Burton	Kelt
Cauthorn	Knetsch
Celaya	Leonard
Colquitt	Leyendecker
Davis of Haskell	London
Dickison	Mays
Dollins	McConnell
Farmer	McCracken
Felty	McDonald
Harbin	McFarland
Heflin	McKee
Herzik	Metcalf
Holland	Monkhouse
Howard	Morse

Nicholson  
Reader  
Reed of Dallas  
Riddle  
Ross  
Rutta  
Schuenemann  
Settle

Sharpe  
Smith  
of Matagorda  
Smith of Tarrant  
Stinson  
Thornberry  
Vale  
Winfree

## Absent

Alexander	Keith
Baker	Kenyon
Bradford	Little
Brown	Loggins
Carssow	Mauritz
Davison of Fisher	McKinney
Dean	Newton
Fox	Oliver
Graves	Patterson of Mills
Hankamer	Petsch
Hanna	Pope
Harper	Ragsdale
Hartzog	Sewell
Jones of Atascosa	Shell
Keefe	Stevenson

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

The Chair announced that the substitute amendment was adopted.

Question recurring on the amendment, as substituted, yeas and nays were demanded.

The amendment, as substituted, was lost by the following vote:

## Yeas—60

Adkins	Huddleston
Alsup	Jackson
Baker	James
Beckworth	Johnson of Ellis
Bell	Jones of Wise
Bond	Keefe
Broadfoot	Keith
Cagle	King
Callan	Lankford
Cleveland	Lanning
Davis of Jasper	Leath
Dean	Lucas
Deglandon	Morris
Derden	Palmer
England	Patterson
Fielden	of Travis
Gibson	Powell
Hamilton	Prescott
Hardin	Quinn
Harris of Archer	Reed of Bowie
Harris of Dickens	Rhodes
Holland	Roark
Hoskins	Russell

Simpson	Thornton
Smith of Hopkins	Waggoner
Stevenson	Walker
Stocks	Weldon
Talbert	Westbrook
Tarwater	Wood
Tennant	Worley
Tennyson	

## Nays—67

Alexander	Kelt
Amos	Kenyon
Bates	Knetsch
Blankenship	Leonard
Boethel	Leyendecker
Boyer	Little
Bradbury	London
Bridgers	Mays
Brown	McConnell
Burton	McCracken
Carssow	McDonald
Cathey	McFarland
Cauthorn	McKee
Celaya	Metcalfe
Colquitt	Moffett
Davis of Haskell	Monkhouse
Davisson	Morse
of Eastland	Nicholson
Dickison	Petsch
Dollins	Ragsdale
Farmer	Reader
Felty	Reed of Dallas
Fox	Riddle
Fuchs	Ross
Harbin	Rutta
Hartzog	Schuenemann
Heflin	Settle
Howard	Sharpe
Hull	Smith
Hyder	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stinson
Jones of Angelina	Thornberry
Jones of Atascosa	Vale
Jones of Falls	Winfree

## Present—Not Voting

Herzik

## Absent

Bradford	McKinney
Davison of Fisher	Newton
Graves	Oliver
Hankamer	Patterson of Mills
Hanna	Pope
Harper	Sewell
Loggins	Shell
Mauritz	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

Mr. Beckworth submitted the following motion:

"I move to postpone consideration of this bill until April 20 at 10:00 o'clock a. m."

Mr. Celaya moved to table the motion to postpone.

Question recurring on the motion to table the motion to postpone, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—83

Alexander	Knetsch
Alsup	Lanning
Amos	Leath
Bates	Leonard
Bell	Leyendecker
Blankenship	Little
Boethel	Loggins
Boyer	London
Bradbury	Lucas
Bridgers	Mays
Burton	McConnell
Carssow	McCracken
Cauthorn	McDonald
Celaya	McFarland
Colquitt	McKee
Davis of Haskell	Metcalfe
Davis of Jasper	Monkhouse
Davisson	Morse
of Eastland	Nicholson
Dean	Petsch
Dickison	Quinn
Dollins	Reader
Farmer	Reed of Dallas
Felty	Roark
Fox	Ross
Gibson	Russell
Hanna	Rutta
Harris of Dickens	Schuenemann
Hartzog	Settle
Heflin	Sharpe
Herzik	Shell
Holland	Smith
Howard	of Matagorda
Hull	Smith of Tarrant
Hyder	Stinson
Jackson	Talbert
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Keefe	Thornton
Keith	Vale
Kelt	Waggoner
Kenyon	Winfree

## Nays—43

Adkins	Bond
Baker	Broadfoot
Beckworth	Cagle

Callan	Lankford
Cathey	Moffett
Cleveland	Morris
Deglandon	Palmer
Derden	Patterson
England	of Travis
Fielden	Powell
Fuchs	Prescott
Hamilton	Ragsdale
Hardin	Reed of Bowie
Harris of Archer	Rhodes
Hoskins	Riddle
Huddleston	Simpson
James	Smith of Hopkins
Johnson of Ellis	Stocks
Jones of Atascosa	Tarwater
Jones of Falls	Weldon
Jones of Wise	Wood
King	Worley

## Absent

Bradford	Newton
Brown	Oliver
Davison of Fisher	Patterson of Mills
Graves	Pope
Hankamer	Sewell
Harbin	Stevenson
Harper	Walker
Mauritz	Westbrook
McKinney	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

Mr. Jones of Wise offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 74, by striking out in Section 4 all after the word "school."

The amendment to the committee amendment was adopted.

Mr. Prescott offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 74, by adding a new section to Section 12 to be known as subsection c:

"(c) Provided that all persons receiving a license shall take and pass said examination."

Mr. Petsch moved to table the amendment.

The motion to table prevailed.

Mr. Worley moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion to

adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—39

Bates	Kenyon
Beckworth	Lankford
Boethel	Leath
Bridgers	Little
Callan	McKinney
Cathey	Metcalfe
Cleveland	Monkhouse
Colquitt	Morris
Davison	Nicholson
of Eastland	Palmer
Dean	Pope
Deglandon	Powell
Dickison	Prescott
Dollins	Ragsdale
England	Riddle
Gibson	Russell
Hardin	Schuenemann
Hoskins	Smith of Hopkins
Huddleston	Tarwater
Jones of Falls	Walker

## Nays—89

Adkins	James
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Bell	Jones of Angelina
Blankenship	Jones of Atascosa
Bond	Jones of Wise
Boyer	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	King
Carssow	Knetsch
Cauthorn	Lanning
Celaya	Leonard
Davis of Haskell	Leyendecker
Davis of Jasper	Loggins
Davison of Fisher	London
Derden	Lucas
Farmer	Mauritz
Felty	Mays
Fielden	McConnell
Fuchs	McCracken
Hamilton	McDonald
Hanna	McFarland
Harbin	McKee
Harris of Archer	Moffett
Harris of Dickens	Morse
Hartzog	Oliver
Heflin	Patterson
Herzik	of Travis
Holland	Petsch
Howard	Quinn
Hull	Reader
Hyder	Reed of Bowie
Jackson	Reed of Dallas

Rhodes	Talbert
Ross	Tennant
Rutta	Tennyson
Settle	Thornberry
Sharpe	Thornton
Shell	Vale
Simpson	Waggoner
Smith	Weldon
of Matagorda	Westbrook
Smith of Tarrant	Winfree
Stinson	Wood

## Absent

Alexander	Newton
Bradbury	Patterson of Mills
Bradford	Roark
Cagle	Sewell
Fox	Stevenson
Graves	Stocks
Hankamer	Worley
Harper	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

Mr. Hull moved the previous question on the pending committee amendment, and passage of Senate Bill No. 74 to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Keith moved that further consideration of Senate Bill No. 74 be postponed until 11:00 o'clock a. m., tomorrow.

The motion was lost.

Mr. Stocks moved that Senate Bill No. 74 be recommitted to the Committee on State Affairs.

Mr. Farmer moved to table the motion to recommit the bill.

The motion to table prevailed.

Mr. Talbert offered the following amendment to the committee amendment:

Amend Senate Bill No. 74, subsection A of Section 12, by inserting the words and figures "2" in lieu of the figures "4".

Mr. Jones of Wise offered the following substitute for the amendment by Mr. Talbert:

Amend committee amendment No. 1 to Senate Bill No. 74, page 5, line 35, Section 12, by striking out the word "four" and insert in lieu thereof the word "one".

Mr. Celaya moved to table the sub-

stitute amendment by Mr. Jones of Wise.

The motion to table was lost.

Mr. Petsch moved the previous question on the pending amendments, and the passage of Senate Bill No. 74 to third reading, and the main question was ordered.

Question recurring on the substitute amendment by Mr. Jones of Wise, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

## Yeas—73

Adkins	Lankford
Alsup	Lanning
Beckworth	Leath
Bradbury	Little
Broadfoot	Loggins
Brown	Lucas
Burton	McKinney
Cagle	Metcalf
Callan	Moffett
Carssow	Morris
Cleveland	Oliver
Davis of Haskell	Palmer
Davis of Jasper	Patterson
Dean	of Travis
Deglandon	Powell
Derden	Prescott
Dickison	Quinn
England	Reed of Bowie
Fielden	Rhodes
Fox	Riddle
Fuchs	Roark
Hamilton	Ross
Hardin	Russell
Harris of Archer	Simpson
Herzik	Smith of Hopkins
Holland	Smith of Tarrant
Hoskins	Stocks
Huddleston	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Jones of Atascosa	Tennyson
Jones of Falls	Waggoner
Jones of Wise	Walker
Keefe	Weldon
Keith	Westbrook
King	Wood
Knetsch	Worley

## Nays—54

Alexander	Cauthorn
Amos	Celaya
Bates	Colquitt
Blankenship	Davison of Fisher
Boethel	Davison
Bond	of Eastland
Boyer	Dollins
Bridgers	Farmer

Felty	McCracken
Gibson	McDonald
Hankamer	McFarland
Hanna	McKee
Harbin	Monkhouse
Harris of Dickens	Morse
Hartzog	Petsch
Heflin	Reader
Howard	Reed of Dallas
Hyder	Rutta
Jackson	Settle
Johnson	Sharpe
of Tarrant	Shell
Jones of Angelina	Smith
Kelt	of Matagorda
Kenyon	Stinson
Leonard	Thornberry
Leyendecker	Thornton
London	Vale
Mays	Winfree
McConnell	

## Absent

Baker	Newton
Bell	Nicholson
Bradford	Patterson of Mills
Cathey	Pope
Graves	Ragsdale
Harper	Schuenemann
Hull	Sewell
Mauritz	Stevenson

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

The amendment, as substituted, was then adopted.

The committee amendment, as amended, was then adopted.

Question recurring on the passage of Senate Bill No. 74 to third reading, yeas and nays were demanded.

Senate Bill No. 74 was passed to third reading by the following vote:

## Yeas—83

Alsup	Celaya
Amos	Davis of Haskell
Bates	Davison of Fisher
Bell	Davison
Blankenship	of Eastland
Boethel	Dickison
Bond	Dollins
Boyer	Farmer
Bradbury	Felty
Bradford	Fox
Bridgers	Gibson
Brown	Hankamer
Burton	Hanna
Carssow	Harbin
Cauthorn	Hardin

Harris of Dickens	McFarland
Heflin	McKee
Herzik	Metcalfe
Holland	Moffett
Hoskins	Monkhouse
Howard	Morse
Hull	Nicholson
Hyder	Petsch
Jackson	Reader
Johnson	Reed of Dallas
of Tarrant	Riddle
Jones of Angelina	Roark
Jones of Wise	Ross
Kelt	Russell
Kenyon	Rutta
Knetsch	Settle
Lanning	Sharpe
Leath	Smith
Leonard	of Matagorda
Leyendecker	Smith of Tarrant
Little	Stinson
Loggins	Talbert
London	Tennant
Mauritz	Thornberry
Mays	Thornton
McConnell	Vale
McCracken	Waggoner
McDonald	Winfree

## Nays—46

Adkins	Lucas
Beckworth	McKinney
Broadfoot	Morris
Callan	Oliver
Cleveland	Palmer
Colquitt	Patterson
Davis of Jasper	of Travis
Dean	Pope
Deglandon	Powell
Derden	Prescott
England	Ragsdale
Fielden	Reed of Bowie
Fuchs	Rhodes
Hamilton	Simpson
Harris of Archer	Smith of Hopkins
Hartzog	Stocks
Huddleston	Tarwater
James	Tennyson
Johnson of Ellis	Walker
Jones of Atascosa	Weldon
Jones of Falls	Westbrook
Keith	Wood
King	Worley
Lankford	

## Absent

Alexander	Newton
Baker	Patterson of Mills
Cagle	Quinn
Cathey	Schuenemann
Graves	Sewell
Harper	Shell
Keefe	Stevenson

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

Mr. Celaya moved to reconsider the vote by which Senate Bill No. 74 was passed to third reading, and to table the motion to reconsider.

The motion to table prevailed.

**MOTION TO TAKE UP SENATE  
BILL NO. 74**

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 74 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

## Yeas—87

Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Bates	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bradford	Knetsch
Bridgers	Lanning
Brown	Leath
Burton	Leonard
Carssow	Leyendecker
Cauthorn	Little
Celaya	Loggins
Colquitt	London
Davis of Haskell	Mays
Davis of Jasper	McConnell
Davison of Fisher	McCracken
Davisson	McDonald
of Eastland	McFarland
Dickison	McKee
Dollins	Metcalfe
Farmer	Moffett
Felty	Monkhouse
Fox	Morse
Fuchs	Nicholson
Hankamer	Petsch
Hanna	Pope
Harbin	Quinn
Harris of Dickens	Reader
Herzik	Reed of Dallas
Hoskins	Riddle
Howard	Roark
Hull	Ross
Hyder	Russell
Jackson	Rutta

Settle	Talbert
Sharpe	Tennant
Shell	Tennyson
Smith	Thornton
of Matagorda	Vale
Smith of Tarrant	Waggoner
Stinson	Westbrook

## Yeas—37

Adkins	Jones of Atascosa
Beckworth	Keith
Boethel	Lankford
Broadfoot	Lucas
Callan	McKinney
Cathey	Morris
Cleveland	Oliver
Dean	Palmer
Deglandon	Powell
Derden	Prescott
England	Reed of Bowie
Fielden	Rhodes
Gibson	Smith of Hopkins
Hamilton	Simpson
Harris of Archer	Stocks
Hartzog	Weldon
Huddleston	Wood
James	Worley
Johnson of Ellis	

## Present—Not Voting

Cagle

## Absent

Baker	Patterson
Graves	of Travis
Hardin	Ragsdale
Harper	Schuenemann
Heflin	Sewell
Holland	Stevenson
Mauritz	Tarwater
Newton	Thornberry
Patterson of Mills	Walker
	Winfree

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

## MESSAGE FROM THE SENATE

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 218, A bill to be entitled "An Act amending Chapter 13 of the Acts of the Forty-second Legislature of Texas, Third Called Session as amended by the Acts of the Forty-third Legislature, Regular Session, by



adding thereto Section 8a providing that the provisions thereof shall apply to Navigation District, and declaring an emergency."

S. B. No. 235, A bill to be entitled "An Act amending Sections 4 and 7 of Senate Bill No. 165, Chapter 165, passed by the Forty-second Legislature, at its Regular Session; repealing all laws and parts of laws in conflict herewith; providing that if any part of this bill be held invalid, same shall not affect the remainder hereof, and declaring an emergency."

S. B. No. 336, A bill to be entitled "An Act to amend Section 16, Article 3902, Revised Civil Statutes, 1925, as amended by Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature."

S. B. No. 406, A bill to be entitled "An Act to increase the civil jurisdiction of the County Court of Collingsworth County, and declaring an emergency."

S. B. No. 420, A bill to be entitled "An Act relating to the jurisdiction of the County Court of Sterling County, and declaring an emergency."

S. B. No. 381, A bill to be entitled "An Act relating to the administration of private corporations in receiverships, and declaring an emergency."

S. B. No. 425, A bill to be entitled "An Act making an emergency appropriation to the Adjutant General's Department of the State of Texas of Fifty-three Thousand (\$53,000.00) Dollars, and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act authorizing the Board of Trustees of La Grange Independent School District, Fayette County, Texas, to compensate L. J. Rose for services rendered to said District, and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act making it unlawful to use or possess a seine, net or trawl in certain waters of Nueces County, and declaring an emergency."

S. B. No. 434, A bill to be entitled "An Act amending Article 5139, Revised Civil Statutes of the State of Texas, providing additional compensation for members of the County Juvenile Board in all counties having a population of not less than three hundred and twenty thousand (320,000) and not more than three hundred and fifty thousand (350,000), according to the last preceding or any future Fed-

eral Census, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 353 WITH SENATE AMENDMENTS

Mr. Stevenson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 353, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue Fund of the State of Texas for the Live Stock Sanitary Commission for the balance of the fiscal year ending August 31, 1937, to cover the purchase of dip materials, marking paint, salaries of inspectors, salaries of county supervisors, salaries of district supervisors, and traveling expenses, and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Stevenson, the House concurred in the Senate amendments by the following vote:

Yeas—116

Adkins	Felty
Alexander	Fielden
Alsup	Fox
Amos	Fuchs
Bates	Gibson
Beckworth	Hankamer
Bell	Harbin
Blankenship	Hardin
Boethel	Harris of Archer
Bond	Harris of Dickens
Boyer	Hartzog
Bradbury	Heflin
Bradford	Herzik
Broadfoot	Holland
Brown	Hoskins
Callan	Howard
Carsow	Huddleston
Cathey	Hull
Cauthorn	Hyder
Celaya	Jackson
Cleveland	Johnson of Ellis
Colquitt	Johnson
Davis of Haskell	of Tarrant
Davis of Jasper	Jones of Angelina
Davison of Fisher	Jones of Atascosa
Davison	Jones of Falls
of Eastland	Jones of Wise
Derden	Keefe
Dickison	Keith
Dollins	Kelt
Farmer	Kenyon

King	Quinn
Knetsch	Ragsdale
Lanning	Reader
Leath	Reed of Dallas
Leonard	Rhodes
Leyendecker	Riddle
Little	Ross
Loggins	Russell
Lucas	Rutta
Mauritz	Schuenemann
Mays	Settle
McConnell	Sharpe
McCracken	Shell
McDonald	Simpson
McFarland	Smith
McKee	of Matagorda
McKinney	Smith of Tarrant
Metcalf	Stevenson
Moffett	Stinson
Monkhouse	Stocks
Morse	Talbert
Nicholson	Tarwater
Palmer	Tennant
Patterson	Tennyson
of Travis	Thornton
Petsch	Vale
Pope	Waggoner
Powell	Weldon
Prescott	Westbrook

## Nays—14

Burton	Morris
Deglandon	Oliver
Hamilton	Reed of Bowie
Hanna	Roark
James	Smith of Hopkins
Lankford	Wood
London	Worley

## Absent

Baker	Newton
Bridgers	Patterson of Mills
Cagle	Sewell
Dean	Thornberry
England	Walker
Graves	Winfree
Harper	

## Absent—Excused

Harrell	Langdon
Harris of Dallas	Mann
Kern	Skaggs

SENATE BILL NO. 121 ON  
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 121, A bill to be entitled "An Act defining county mutual insurance companies, providing the hazards against which they may write insurance, providing for incor-

poration of county mutual insurance companies and the requirements therefor, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 121 ON THIRD  
READING

Mr. Jones of Falls moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 121 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—113

Adkins	Hoskins
Alexander	Howard
Alsup	Huddleston
Amos	Hull
Bates	Hyder
Beckworth	James
Bell	Johnson of Ellis
Boethel	Johnson
Bond	of Tarrant
Boyer	Jones of Angelina
Bradbury	Jones of Falls
Bridgers	Jones of Wise
Brown	Keefe
Burton	Keith
Cagle	Kelt
Callan	King
Carsow	Knetsch
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leyendecker
Cleveland	Loggins
Colquitt	London
Davis of Jasper	Lucas
Davison of Fisher	Mauritz
Davisson	Mays
of Eastland	McConnell
Deglandon	McCracken
Derden	McDonald
Dickison	McFarland
Dollins	McKee
England	Moffett
Farmer	Monkhouse
Felty	Morris
Fox	Morse
Gibson	Newton
Hamilton	Nicholson
Hankamer	Palmer
Harbin	Patterson
Hardin	of Travis
Harris of Archer	Petsch
Harris of Dickens	Powell
Hartzog	Prescott
Herzik	Quinn
Holland	Ragsdale

Reader	Smith
Reed of Bowie	of Matagorda
Reed of Dallas	Smith of Tarrant
Rhodes	Stinson
Riddle	Stocks
Roark	Talbert
Ross	Tarwater
Russell	Tennant
Rutta	Tennyson
Schuenemann	Thornberry
Settle	Thornton
Sharpe	Vale
Shell	Waggoner
Smith of Hopkins	Weldon
	Wood

Nays—1

Fuchs

Present—Not Voting

Simpson

Absent

Baker	Leonard
Blankenship	Little
Bradford	McKinney
Broadfoot	Metcalfe
Davis of Haskell	Oliver
Dean	Patterson of Mills
Fielden	Pope
Graves	Sewell
Hanna	Stevenson
Harper	Walker
Heflin	Westbrook
Jackson	Winfree
Jones of Atascosa	Worley
Kenyon	

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Chair then laid Senate Bill No. 121 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adkins	Brown
Alsup	Burton
Amos	Cagle
Bates	Callan
Beckworth	Carssow
Bell	Cathey
Boethel	Cauthorn
Bond	Celaya
Boyer	Cleveland
Bradbury	Davis of Haskell
Bradford	Davison of Fisher
Bridgers	Davisson
Broadfoot	of Eastland

Deglandon	McConnell
Derden	McCracken
Dickison	McDonald
Dollins	McFarland
England	McKee
Farmer	Moffett
Felty	Monkhouse
Fuchs	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Palmer
Harbin	Patterson
Hardin	of Travis
Harris of Archer	Pope
Harris of Dickens	Powell
Hartzog	Prescott
Herzik	Quinn
Holland	Ragsdale
Hoskins	Reader
Howard	Reed of Bowie
Huddleston	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
Jackson	Roark
James	Russell
Johnson of Ellis	Rutta
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sharpe
Jones of Atascosa	Shell
Jones of Falls	Smith of Hopkins
Jones of Wise	Smith
Keefe	of Matagorda
Keith	Smith of Tarrant
Kelt	Stinson
Kenyon	Stocks
King	Talbert
Knetsch	Tarwater
Lankford	Tennant
Lanning	Tennyson
Leyendecker	Thornberry
Little	Thornton
Loggins	Vale
London	Waggoner
Lucas	Weldon
Mauritz	Westbrook
Mays	Wood

Present—Not Voting

Simpson

Absent

Alexander	McKinney
Baker	Metcalfe
Blankenship	Oliver
Colquitt	Patterson of Mills
Davis of Jasper	Petsch
Dean	Ross
Fielden	Sewell
Fox	Stevenson
Graves	Walker
Harper	Winfree
Heflin	Worley
Leonard	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

SENATE BILL NO. 430 ON  
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 430, A bill to be entitled "An Act amending Subsection 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 103, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session, providing for the time of holding the terms of court of the District Court of the 102nd Judicial District of Texas, naming the counties constituting the same; changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws and parts of laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 430 ON THIRD  
READING

Mr. Mays moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Adkins	Boyer
Alexander	Bradbury
Bates	Bradford
Beckworth	Bridgers
Bell	Broadfoot
Blankenship	Brown
Boethel	Burton
Bond	Cagle

Callan	Loggins
Carssow	London
Cathey	Lucas
Cauthorn	Mauritz
Celaya	Mays
Cleveland	McConnell
Colquitt	McDonald
Davis of Haskell	McFarland
Davison of Fisher	McKee
Davisson	McKinney
of Eastland	Moffett
Dean	Monkhouse
Deglandon	Morris
Derden	Morse
Dickison	Newton
Dollins	Oliver
England	Palmer
Farmer	Patterson
Felty	of Travis
Fox	Petsch
Fuchs	Powell
Gibson	Quinn
Hamilton	Ragsdale
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Harbin	Rhodes
Hardin	Riddle
Harris of Archer	Roark
Harris of Dickens	Ross
Hartzog	Russell
Heflin	Rutta
Herzik	Schuenemann
Holland	Settle
Howard	Sharpe
Hull	Shell
Hyder	Simpson
Jackson	Smith of Hopkins
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stinson
Jones of Angelina	Stocks
Jones of Atascosa	Talbert
Jones of Falls	Tarwater
Jones of Wise	Tennant
Keefe	Tennyson
Keith	Thornberry
Kelt	Thornton
King	Vale
Knetsch	Waggoner
Lankford	Walker
Lanning	Weldon
Leonard	Westbrook
Leyendecker	Winfree
Little	Wood

## Absent

Alsup	Hoskins
Amos	Huddleston
Baker	Kenyon
Davis of Jasper	McCracken
Fielden	Metcalfe
Graves	Nicholson
Harper	Patterson of Mills

Pope	Sewell
Prescott	Stevenson
Reader	Worley

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Chair then 'laid Senate Bill No. 430 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—124

Adkins	Hartzog
Alexander	Herzik
Alsup	Holland
Amos	Howard
Bates	Hull
Beckworth	Hyder
Bell	Jackson
Blankenship	James
Boethel	Johnson of Ellis
Bond	Johnson
Boyer	of Tarrant
Bradbury	Jones of Angelina
Bradford	Jones of Atascosa
Bridgers	Jones of Falls
Broadfoot	Jones of Wise
Brown	Keefe
Burton	Kelt
Cagle	Kenyon
Callan	King
Carssow	Knetsch
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leonard
Cleveland	Leyendecker
Colquitt	Little
Davis of Haskell	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	Mauritz
of Eastland	Mays
Dean	McConnell
Deglandon	McDonald
Derden	McFarland
Dickison	McKee
England	Moffett
Farmer	Monkhouse
Felty	Morris
Fox	Morse
Fuchs	Newton
Gibson	Oliver
Hamilton	Palmer
Hankamer	Patterson
Hanna	of Travis
Harbin	Petsch
Hardin	Pope
Harris of Archer	Powell
Harris of Dickens	Quinn

Ragsdale	Smith of Tarrant
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tarwater
Riddle	Tennant
Roark	Tennyson
Ross	Thornberry
Russell	Thornton
Rutta	Vale
Schuenemann	Waggoner
Settle	Walker
Sharpe	Weldon
Shell	Westbrook
Simpson	Winfree
Smith of Hopkins	Wood
Smith	
of Matagorda	

Absent

Baker	Keith
Dollins	McKinney
Fielden	Metcalfe
Graves	Nicholson
Harper	Patterson of Mills
Heflin	Prescott
Hoskins	Sewell
Huddleston	Stevenson
McCracken	Worley

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

#### SENATE BILL NO. 431 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 431, A bill to be entitled "An Act amending Subsection 76 of Article 199 of the Revised Civil Statutes of Texas, 1925, providing for the time of holding the terms of court of the District Court of the Seventy-sixth Judicial District of Texas, changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws or parts of laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 431 ON THIRD READING

Mr. Mays moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 431 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adkins	Johnson of Ellis
Alsup	Johnson
Amos	of Tarrant
Bates	Jones of Angelina
Beckworth	Jones of Atascosa
Bell	Jones of Falls
Blankenship	Jones of Wise
Boethel	Keefe
Bond	Keith
Boyer	Kelt
Bradbury	Kenyon
Bridgers	King
Brown	Knetsch
Burton	Lankford
Cagle	Lanning
Callan	Leonard
Carssow	Leyendecker
Cathey	Little
Cauthorn	Loggins
Celaya	London
Cleveland	Lucas
Colquitt	Mauritz
Davis of Haskell	Mays
Davis of Jasper	McConnell
Davison of Fisher	McCracken
Davisson	McDonald
of Eastland	McFarland
Dean	McKee
Deglandon	McKinney
Derden	Moffett
Dickison	Monkhouse
England	Morris
Farmer	Morse
Felty	Newton
Fox	Oliver
Fuchs	Palmer
Gibson	Patterson
Hamilton	of Travis
Hankamer	Petsch
Hanna	Powell
Harbin	Prescott
Hardin	Quinn
Harris of Archer	Ragsdale
Hartzog	Reader
Herzik	Reed of Bowie
Holland	Reed of Dallas
Howard	Rhodes
Huddleston	Riddle
Hull	Roark
Hyder	Ross
Jackson	Russell
James	Rutta

Settle	Tennant
Sharpe	Tennyson
Shell	Thornberry
Simpson	Thornton
Smith of Hopkins	Vale
Smith	Waggoner
of Matagorda	Walker
Smith of Tarrant	Weldon
Stinson	Westbrook
Stocks	Winfree
Talbert	Wood
Tarwater	

Absent

Alexander	Hoskins
Baker	Metcalfe
Bradford	Nicholson
Broadfoot	Patterson of Mills
Dollins	Pope
Fielden	Schuenemann
Graves	Sewell
Harper	Stevenson
Harris of Dickens	Worley
Heflin	

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Chair then laid Senate Bill No. 431 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adkins	Davis of Jasper
Alexander	Davison of Fisher
Alsup	Davisson
Amos	of Eastland
Bates	Dean
Beckworth	Deglandon
Bell	Derden
Blankenship	Dickison
Boethel	Dollins
Bond	England
Boyer	Farmer
Bradbury	Fox
Bradford	Fuchs
Broadfoot	Gibson
Brown	Hamilton
Burton	Hanna
Cagle	Harbin
Callan	Hardin
Carssow	Harris of Archer
Cathey	Harris of Dickens
Cauthorn	Hartzog
Celaya	Holland
Cleveland	Hoskins
Colquitt	Howard
Davis of Haskell	Huddleston

Hull	Petsch
Hyder	Powell
Jackson	Prescott
James	Quinn
Johnson of Ellis	Ragsdale
Johnson	Reader
of Tarrant	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Atascosa	Rhodes
Jones of Falls	Riddle
Jones of Wise	Roark
Keefe	Ross
Keith	Russell
Kelt	Rutta
Kenyon	Schuenemann
King	Settle
Knetsch	Sharpe
Lankford	Shell
Lanning	Simpson
Leyendecker	Smith of Hopkins
Little	Smith
Loggins	of Matagorda
London	Smith of Tarrant
Lucas	Stinson
Mauritz	Stocks
Mays	Talbert
McConnell	Tarwater
McCracken	Tennant
McDonald	Tennyson
McFarland	Thornberry
McKee	Vale
McKinney	Waggoner
Moffett	Walker
Monkhouse	Weldon
Morris	Westbrook
Morse	Winfree
Newton	Wood
Patterson	
of Travis	

## Absent

Baker	Metcalf
Bridgers	Nicholson
Felty	Oliver
Fielden	Palmer
Graves	Patterson of Mills
Hankamer	Pope
Harper	Sewell
Heflin	Stevenson
Herzik	Thornton
Leonard	Worley

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

## MESSAGE FROM THE SENATE

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate

to inform the House that the Senate has passed the following:

S. B. No. 362, A bill to be entitled "An Act providing for the payment of warrants and vouchers issued by towns and cities in the State of Texas for funds received and used by such towns and cities in a sum not to exceed Eight Thousand (\$8,000) Dollars prior to June 1, 1932, and applying to such warrants and vouchers issued as renewals of such original warrants and vouchers, and declaring an emergency."

S. B. No. 438, A bill to be entitled "An Act to make it unlawful to barter, sell or exchange any child under the age of fifteen (15) years, or to offer or advertise for barter, sale or exchange any child under the age of fifteen (15) years; prescribing penalties for a violation of this Act, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

SENATE BILL NO. 432 ON  
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 432, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 254, Acts of the 43rd Legislature, Regular Session, as amended by Chapter 104, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session; providing for the reorganization of the Fifth Judicial District, naming the counties constituting the same; fixing the terms of the District Court in the counties of the district; making provisions with reference to process issued, bonds and recognizances made and Grand and Petit jurors drawn before this Act takes effect; providing for the jurisdiction of said courts as to civil and criminal business, fixing the time of taking effect of this Act; providing for the district clerk of such court; repealing all laws and parts of laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 432 ON THIRD  
READING

Mr. Mays moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 432 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adkins	Hyder
Alexander	Jackson
Alsup	James
Amos	Johnson of Ellis
Bates	Johnson
Beckworth	of Tarrant
Bell	Jones of Angelina
Blankenship	Jones of Atascosa
Boethel	Jones of Falls
Bond	Jones of Wise
Bradbury	Keefe
Bradford	Keith
Bridgers	Kelt
Broadfoot	Kenyon
Brown	King
Burton	Knetsch
Cagle	Lankford
Callan	Lanning
Carssow	Leonard
Cathey	Leyendecker
Cauthorn	Little
Celaya	Loggins
Cleveland	London
Colquitt	Lucas
Davis of Jasper	Mauritz
Davison of Fisher	Mays
Davisson	McConnell
of Eastland	McCracken
Dean	McDonald
Deglandon	McFarland
Derden	McKee
Dickison	McKinney
Dollins	Moffett
England	Monkhouse
Farmer	Morris
Felty	Morse
Fuchs	Newton
Gibson	Oliver
Hamilton	Palmer
Hankamer	Patterson
Hanna	of Travis
Harbin	Petsch
Hardin	Powell
Harris of Archer	Prescott
Harris of Dickens	Quinn
Hartzog	Ragsdale
Herzik	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes
Howard	Riddle
Hull	Roark

Ross	Stocks
Russell	Talbert
Rutta	Tarwater
Schuenemann	Tennant
Settle	Tennyson
Sharpe	Thornberry
Shell	Thornton
Simpson	Vale
Smith of Hopkins	Waggoner
Smith	Walker
of Matagorda	Weldon
Smith of Tarrant	Westbrook
Stinson	Wood

## Absent

Baker	Metcalfe
Boyer	Nicholson
Davis of Haskell	Patterson of Mills
Fielden	Pope
Fox	Reader
Graves	Sewell
Harper	Stevenson
Heflin	Winfree
Huddleston	Worley

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Chair then laid Senate Bill No. 432 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Adkins	Davison of Fisher
Alexander	Davisson
Alsup	of Eastland
Amos	Dean
Bates	Deglandon
Beckworth	Derden
Bell	Dickison
Blankenship	Dollins
Boethel	England
Bond	Farmer
Boyer	Felty
Bradbury	Fuchs
Bradford	Gibson
Bridgers	Hamilton
Brown	Hankamer
Burton	Hanna
Cagle	Harbin
Callan	Hardin
Carssow	Harris of Archer
Cathey	Harris of Dickens
Cauthorn	Hartzog
Celaya	Herzik
Cleveland	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Howard



Hull	Palmer
Hyder	Patterson
Jackson	of Travis
James	Petsch
Johnson of Ellis	Powell
Johnson	Prescott
of Tarrant	Quinn
Jones of Angelina	Ragsdale
Jones of Atascosa	Reader
Jones of Falls	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Rhodes
Keith	Roark
Kelt	Ross
Kenyon	Russell
King	Rutta
Knetsch	Schuenemann
Lankford	Settle
Lanning	Sharpe
Leonard	Shell
Leyendecker	Simpson
Little	Smith of Hopkins
Loggins	Smith
London	of Matagorda
Lucas	Stinson
Mauritz	Stocks
Mays	Talbert
McConnell	Tarwater
McCracken	Tennant
McDonald	Tennyson
McFarland	Thornberry
McKee	Thornton
McKinney	Vale
Moffett	Waggoner
Monkhouse	Walker
Morris	Weldon
Morse	Westbrook
Newton	Wood
Oliver	

## Absent

Baker	Nicholson
Broadfoot	Patterson of Mills
Colquitt	Pope
Fielden	Riddle
Fox	Sewell
Graves	Smith of Tarrant
Harper	Stevenson
Heflin	Winfree
Huddleston	Worley
Metcalf	

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

RELATIVE TO HOUSE BILL  
NO. 980

On motion of Mr. Deglandon (by unanimous consent), House Bill No. 980 was amended so as to add "Bastrop County" to the provisions of the bill.

MOTION TO TAKE UP HOUSE  
BILL NO. 49

Mr. Hull moved to take up, for consideration, at this time,

H. B. No. 49, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of The North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to The North Texas Agricultural, Mechanical and Industrial College at Arlington, and amending Article 2621 of the Revised Civil Statutes of 1925, providing a four-year course of study for said college, and declaring an emergency."

The bill having heretofore been laid on the table subject to call, and due notice having been given that same would be called up today.

Mr. Quinn raised a point of order, on further consideration of the motion by Mr. Hull, at this time, on the ground that a special order has been previously set, and that the special order has precedence at this time.

The Chair sustained the point of order.

Mr. Hull moved to suspend the Rule, to take up House Bill No. 49, at this time.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

## Yeas—76

Amos	Herzik
Beckworth	Howard
Boyer	Huddleston
Callan	Hull
Carssow	Hyder
Cathey	James
Cleveland	Johnson of Ellis
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Keefe
Davisson	Kelt
of Eastland	King
Dean	Lankford
Derden	Lanning
Dickison	Leonard
England	Leyendecker
Farmer	Little
Felty	London
Fuchs	Lucas
Gibson	Mauritz
Hamilton	Mays
Hankamer	McConnell
Hanna	McCracken
Harbin	McDonald
Hardin	McKee
Harris of Dickens	McKinney

Morris	Simpson
Morse	Smith of Hopkins
Oliver	Smith of Tarrant
Patterson	Stevenson
of Travis	Stinson
Prescott	Stocks
Quinn	Talbert
Reader	Tarwater
Reed of Dallas	Tennant
Rhodes	Thornton
Riddle	Vale
Ross	Walker
Rutta	Weldon
Shell	

## Nays—41

Adkins	Jones of Wise
Alsup	Keith
Bates	Kenyon
Bell	Knetsch
Blankenship	Moffett
Boethel	Monkhouse
Bond	Nicholson
Bradbury	Palmer
Bradford	Petsch
Brown	Powell
Burton	Ragsdale
Cagle	Reed of Bowie
Colquitt	Roark
Deglandon	Russell
Harris of Archer	Settle
Hartzog	Sharpe
Holland	Tennyson
Jackson	Thornberry
Jones of Angelina	Waggoner
Jones of Atascosa	Wood
Jones of Falls	

## Absent

Alexander	Loggins
Baker	McFarland
Bridgers	Metcalfe
Broadfoot	Newton
Cauthorn	Patterson of Mills
Celaya	Pope
Dollins	Schuenemann
Fielden	Sewell
Fox	Smith
Graves	of Matagorda
Harper	Westbrook
Heflin	Winfree
Hoskins	Worley

## Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

## NOTICES GIVEN

Mr. Hull gave notice that he would, on the next legislative day, move to take up, for consideration, at that time, House Bill No. 49, which bill was

heretofore laid on the table subject to call.

Mr. Davison of Fisher gave notice that he would, on the next legislative day, move to take up, for consideration, at that time, House Bill No. 351, which bill was heretofore laid on the table subject to call.

## HOUSE BILL NO. 662 ON SECOND READING

The Chair laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 662, A bill to be entitled "An Act granting aid to the property and inhabitants of Sabine and San Augustine Counties, Texas, because of the public calamities which have occurred in said Counties by reason of floods and storms which have caused great destruction of property and loss of life; remitting, releasing, granting and donating to said Counties all said ad valorem taxes for general revenue purposes levied and collected on property in said County, including the rolling stock of railroads for a period of five years, beginning with the taxable year 1937, for the use of said Counties for the purpose of constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects and road building, and providing that said taxes shall be levied, assessed and collected in the manner now provided by law and that the assessor and collector in said Counties shall forward his report to the Comptroller covering said collections and shall pay over to the County Treasurer of said Counties all moneys collected by him at the end of each month except such amounts as may be allowed by law for collecting and assessing such taxes; . . . etc., and declaring an emergency."

The bill was read second time.

Mr. Westbrook offered the following amendment to the bill:

Amend House Bill No. 662, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. There is hereby donated and granted by the State of Texas to Sabine, San Augustine, San Jacinto, Shelby and Trinity Counties all of the State ad valorem taxes levied and collected in each respective county for general revenue purposes upon the property and from the persons in each

respective county including ad valorem taxes on the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law for a period of two years beginning with the taxable year, 1937. Said taxes so collected in each of said respective counties shall be used by the County Commissioners' Court of said counties for the following State purposes; 'constructing flood control works and improvements in said counties for improvements to prevent soil erosion and for soil conservation purposes, for irrigation and drainage projects, reforestation, and road building, improvements and maintenance, and law enforcement.' Taxes hereby donated shall be levied, assessed and collected as now provided by law except that the Assessor and Collector of taxes in each respective county shall forward his report to the State Comptroller of Public Accounts as provided by law and shall pay over to the Treasurer of each respective county all moneys collected by him at the end of each month and during the period covered by this donation, except such amounts as now allowed by law for collecting and assessing the same and shall forward a duplicate copy of the receipts given him by the County Treasurer for the said money to the Comptroller.

"Section 2. The intent and purpose of this Act is to donate to the respective counties designated herein that part of the State ad valorem taxes levied and collected in each respective county to be used by said counties for the purposes herein before set out.

"Section 3. That if any section, clause, paragraph or sentence of this Act be declared unconstitutional, it shall not affect the remainder of this Act, and the Legislature hereby declares that it would have passed this Act without such invalid portions.

"Section 4. The fact that the United States Government has purchased over 70% of the land in Sabine County, 41% of the land in San Augustine County, 35% of the land in Shelby County, 63% of the land in San Jacinto County, and 46% of the land in Trinity County, thereby taking off the tax rolls of the said counties a very great portion of the valuation in each of said counties rendering them incapable of carrying on a county government, and the further fact that said counties have not

and can not recover from the disastrous results instant to the calamitous circumstances hereinbefore enumerated creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall be in full force and effect from and after its passage and it is to enacted."

WESTBROOK,  
McKINNEY,  
OLIVER.

Mr. Keith raised a point of order, on further consideration of the amendment, on the ground that same is not germane to the bill.

The Chair sustained the point of order.

Mr. Morris offered the following amendment to the bill:

Amend House Bill No. 662, by inserting in Section 1 between the word "State" and the word "all" the following: "one fourth of".

Mr. Westbrook moved to table the amendment.

The motion to table prevailed.

Mr. Morris offered the following amendment to the bill:

Amend House Bill No. 662, by inserting on page 2, Section 1, line 4, by inserting between the word "State" and the word "all" the following: "one half of".

Mr. McKinney moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—67

Adkins	Harbin
Bates	Hardin
Bell	Herzik
Boyer	Holland
Bradford	Hoskins
Broadfoot	Howard
Cagle	Huddleston
Carssow	Hull
Cathey	James
Cauthorn	Johnson of Ellis
Celaya	Johnson
Cleveland	of Tarrant
Davis of Jasper	Jones of Angelina
Dean	Jones of Atascosa
Derden	Kenyon
Dickison	King
Dollins	Lanning
Fox	Leonard

Leyendecker	Ragsdale
Little	Reed of Bowie
Loggins	Reed of Dallas
Lucas	Rhodes
Mays	Roark
McCracken	Rutta
McDonald	Schuenemann
McFarland	Smith of Tarrant
McKee	Stevenson
McKinney	Talbert
Monkhouse	Tarwater
Morse	Thornton
Oliver	Vale
Pope	Walker
Powell	Weldon
Quinn	Westbrook

## Nays—51

Alexander	Keith
Amos	Kelt
Beckworth	Knetsch
Blankenship	Lankford
Boethel	London
Bond	McConnell
Bradbury	Moffett
Bridgers	Morris
Brown	Nicholson
Burton	Patterson
Callan	of Travis
Colquitt	Petsch
Davis of Haskell	Ross
Deglandon	Russell
England	Settle
Farmer	Sharpe
Fuchs	Simpson
Gibson	Smith of Hopkins
Hamilton	Smith
Hankamer	of Matagorda
Hanna	Stinson
Harris of Archer	Tennant
Harris of Dickens	Tennyson
Jackson	Thornberry
Jones of Falls	Waggoner
Jones of Wise	Wood
Keefe	

## Absent

Alsup	Metcalf
Baker	Newton
Davison of Fisher	Palmer
Davisson	Patterson of Mills
of Eastland	Prescott
Felty	Reader
Fielden	Riddle
Graves	Sewell
Harper	Shell
Hartzog	Stocks
Heflin	Winfree
Hyder	Worley
Mauritz	

## Absent—Excused

Harrell	Kern
Harris of Dallas	Langdon

Leath	Skaggs
Mann	

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 113, to the Committee on Education.

Senate Bill No. 208, to the Committee on Criminal Jurisprudence.

Senate Bill No. 216, to the Committee on Judiciary.

Senate Bill No. 218, to the Committee on Counties.

Senate Bill No. 226, to the Committee on Municipal and Private Corporations.

Senate Bill No. 235, to the Committee on Banks and Banking.

Senate Bill No. 248, to the Committee on Appropriations.

Senate Bill No. 336, to the Committee on Counties.

Senate Bill No. 337, to the Committee on Appropriations.

Senate Bill No. 339, to the Committee on Public Lands and Buildings.

Senate Bill No. 345, to the Committee on Appropriations.

Senate Bill No. 381, to the Committee on Judiciary.

Senate Bill No. 406, to the Committee on Judiciary.

Senate Bill No. 417, to the Committee on Counties.

Senate Bill No. 420, to the Committee on Judiciary.

Senate Bill No. 425, to the Committee on Appropriations.

Senate Bill No. 433, to the Committee on Counties.

Senate Bill No. 441, to the Committee on Education.

Senate Bill No. 434, to the Committee on Judiciary.

Senate Bill No. 438, to the Committee on Labor.

Senate Bill No. 362, to the Committee on Municipal and Private Corporations.

Senate Bill No. 317, to the Committee on Game and Fisheries.

## HOUSE BILLS ON FIRST READING

Mr. Leonard moved to introduce, at this time, and have placed on first reading, House Bill No. 1053.

The motion prevailed by the following vote:

Yeas—119

Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Bates	Jones of Atascosa
Beckworth	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Boethel	Keith
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bradford	Knetsch
Bridgers	Lankford
Broadfoot	Lanning
Burton	Leonard
Cagle	Leyendecker
Callan	Little
Carssow	Loggins
Cathey	London
Cauthorn	Lucas
Celaya	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Haskell	McCracken
Davis of Jasper	McDonald
Davison of Fisher	McFarland
Davissou	McKee
of Eastland	McKinney
Dean	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickison	Morse
Dollins	Newton
England	Oliver
Farmer	Patterson
Felty	of Travis
Fuchs	Powell
Gibson	Prescott
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harris of Archer	Riddle
Harris of Dickens	Roark
Hartzog	Ross
Herzik	Russell
Holland	Rutta
Hoskins	Schuenemann
Howard	Settle
Hull	Sharpe
Hyder	Shell
Jackson	Simpson
James	Smith of Hopkins
Johnson of Ellis	

Smith  
of Matagorda  
Smith of Tarrant  
Stinson  
Stocks  
Talbert  
Tennant

Tennyson  
Thornberry  
Thornton  
Waggoner  
Walker  
Weldon  
Wood

Absent

Adkins	Patterson of Mills
Baker	Petsch
Brown	Pope
Fielden	Reader
Fox	Sewell
Graves	Stevenson
Harper	Tarwater
Heflin	Vale
Huddleston	Westbrook
Metcalfe	Winfree
Nicholson	Worley
Palmer	

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Chair then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Leonard, Mr. Celaya, Mr. Vale, Mr. Pope and Mr. Leyendecker:

H. B. No. 1053, A bill to be entitled "An Act fixing an open season or period of time when it shall be lawful to hunt, take or kill wild mourning doves in the South White Wing Zone; amending Article 879a of the Penal Code of Texas as amended by the Acts of 1929, Forty-first Legislature, page 173, Chapter 74, paragraph 1; . . . etc., and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. McKee moved to introduce, at this time, and have placed on first reading, House Bill No. 1054.

The motion prevailed by the following vote:

Yeas—114

Adkins	Boyer
Alsup	Bradbury
Amos	Bradford
Bates	Bridgers
Beckworth	Broadfoot
Bell	Brown
Blankenship	Burton
Boethel	Cagle
Bond	Callan

Carssow	Lucas
Cathey	Mauritz
Cauthorn	Mays
Cleveland	McConnell
Colquitt	McCracken
Davis of Jasper	McDonald
Davison of Fisher	McKee
Dean	McKinney
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
Dollins	Morse
England	Oliver
Farmer	Patterson
Felty	of Travis
Fuchs	Powell
Gibson	Prescott
Hamilton	Quinn
Hankamer	Reader
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harris of Archer	Roark
Harris of Dickens	Ross
Hartzog	Russell
Herzik	Rutta
Howard	Schuenemann
Huddleston	Settle
Hull	Sharpe
Hyder	Shell
Jackson	Simpson
James	Smith of Hopkins
Johnson of Ellis	Smith
Johnson	of Matagorda
of Tarrant	Smith of Tarrant
Jones of Atascosa	Stevenson
Jones of Falls	Stinson
Jones of Wise	Stocks
Keefe	Talbert
Keith	Tarwater
Kelt	Tennant
King	Thornberry
Knetsch	Thornton
Lankford	Vale
Lanning	Waggoner
Leonard	Walker
Leyendecker	Weldon
Little	Westbrook
Loggins	Wood
London	
Absent	
Alexander	Hoskins
Baker	Jones of Angelina
Celaya	Kenyon
Davis of Haskell	McFarland
Davison	Metcalfe
of Eastland	Newton
Fielden	Nicholson
Fox	Palmer
Graves	Patterson of Mills
Harper	Petsch
Heflin	Pope
Holland	Ragsdale

Riddle	Winfree
Sewell	Worley
Tennyson	

Absent—Excused

Harrell	Leath
Harris of Dallas	Mann
Kern	Skaggs
Langdon	

The Chair then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. McKee:

H. B. No. 1054, A bill to be entitled "An Act requiring all Superintendents of public schools, or if no Superintendent, then the Principal or person in charge, to keep a finger print record of every child attending said school; providing that such finger print records shall be used for school purposes only; prescribing a penalty for the failure or refusal of such school officials to keep said finger print records, and declaring an emergency."

Referred to the Committee on Education.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. McKee and Mr. Nicholson:

H. B. No. 1052, A bill to be entitled "An Act amending Section 13 of Chapter 42, page 49, Acts of the Regular Session of the Forty-third Legislature; amending said Section 13 of Chapter 42, with reference to salary to be paid the Judge of the County Court of Jefferson County at Law; repealing all laws, or parts of laws, in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

#### ADJOURNMENT

Mr. Boyer moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Ragsdale moved that the House recess until 10:00 o'clock a. m., tomorrow.

The motion of Mr. Boyer prevailed, and the House, accordingly, at 5:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bills Nos. 600, 783 and 996.

Game and Fisheries: House Bill No. 1053.

State Affairs: Senate Bill No. 447.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. 20, Proposing an amendment to Article XVI, Section 1 of the Constitution of the State of Texas; changing the form of the oath of office for Members of the Legislature and all officers of the State of Texas; providing for an election upon such Constitutional Amendment and making an appropriation therefor.

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

## REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 30, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 165, "An Act fixing the compensation of certain designated District, County and Precinct Officers in counties having a population in excess of three hundred thousand (300,000) inhabitants according to the last preceding or any future Federal Census; providing the method and means by which said officers shall be compensated; providing for appointment by and compensation of assistants to and employees of the District Attorney or Criminal District Attorney in counties having a population in excess of three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any future Federal Census; repealing all

laws or parts of laws in conflict herewith to the extent of such conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 367, "An Act granting to Mrs. Mary Esther Ramsey, and the legal representatives of the estate of Virgie Ramsey, deceased, permission to bring suit against the State of Texas, and/or the State Highway Department, and/or Angelina County, Texas, in the District Court of Shelby County, Texas, for damages sustained by reason of the death of Virgie Ramsey, deceased, and for damages sustained to her automobile, and for damages sustained by reason of funeral expenses incurred, on account of the negligence of employees of the State Highway Department and/or Angelina County, Texas; providing for place of venue; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit; recognizing the liability of the State of Texas and making appropriation for the payment of such judgment, if, as, and when finally obtained; providing for the method of compromising and settling such claims, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 298, "An Act requiring any person using any trap or similar device to take any of the birds or animals of this State, upon the private lands of another person in Henderson County, to first obtain and have in his possession a written permit; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; pro-

viding a suitable penalty for violation of any provisions of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act and repealing all laws in conflict with any provision of this Act, in so far as they relate to Henderson County."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 757, "An Act to provide for an open season to hunt, take, or kill wild mourning doves in Cherokee County, Texas; providing this Act shall be cumulative of all other laws on the same subject, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 747, "An Act fixing the amount of maximum fees that may be retained by Justices of the Peace and Constables in counties containing not less than eleven thousand, nine hundred and eighty ((11,980) inhabitants, and not more than twelve thousand, one hundred (12,100) inhabitants, according to the last preceding Federal Census, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 724, "An Act amending Section 1, Chapter 24, Acts of the Regular Session, Forty-third Legislature, providing and fixing compensation for County Commissioners in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 603, "An Act to appropriate money from the General Revenue Fund to pay judgment for the sum of Twelve Hundred (\$1,200.00) Dollars against the State of Texas in favor of R. D. Winder in Cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 599, "An Act providing for the organization of cooperative, non-profit, membership corporations for the purpose of engaging in rural electrification; defining terms; defining the powers and duties of such corporations; providing for the number of incorporators; providing the manner in which such corporations may be organized and prescribing the contents of the articles of incorporation; prohibiting the use of the words 'Electric Cooperative' by other corporations; providing for the execution, filing and recording of articles of incorporation and for the renewal of articles of incorporation; providing for the organization meeting, by-laws, qualifications of members, meetings of members, notice of members' meetings, voting by members, certificates of membership, and exempting members from liability for the debts of the corporation, and quorum of members; providing for a Board of Directors and for the election, qualification, and compensation of directors, for the filling of vacancies on the Board of Directors, for directors' meetings, for the election of officers and selection of agents and employees, and for the appointment of an executive committee; providing that such corporations shall be operated without profit and providing for the conduct and business management of such corporations; providing for the amendment of articles of incorporation, and for the consolidation and dissolution of such corporations; prescribing fil-



ing fees; providing for an annual license fee for such corporations and exempting such corporations from all other excise taxes; providing a limited exemption of all such corporations from the provisions of the Texas Securities Act, (Chapter 100, Acts of the Forty-fourth Legislature, Regular Session); providing that defectively organized corporations under this Act may perfect their corporate organizations; extending the provisions of this Act to certain existing corporations; providing for the construction of the Act; declaring the terms and provisions of this Act to be severable; providing that this Act shall be complete in itself, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 589, "An Act amending the Charter of the City of Kingsville so that its city limits will include a parcel of land approximately three (3) city blocks, lying immediately south of the original campus of the Texas College of Arts and Industries, being a dormitory site recently purchased for the State of Texas by the Board of Directors of the Texas College of Arts and Industries; and thereby providing better police and fire protection to the properties now erected on this land, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 568, "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, relative to the compensation or salary to be paid County Auditors in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 603, "An Act to appropriate money from the General Revenue Fund to pay judgment for the sum of Twelve Hundred (\$1,200.00) Dollars against the State of Texas in favor of R. D. Winder in Cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

#### FORTY-SIXTH DAY

(Thursday, April 1, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dollins
Adkins	England
Alexander	Farmer
Alsop	Felty
Amos	Fielden
Baker	Fox
Bates	Fuchs
Beckworth	Gibson
Bell	Graves
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hanna
Boyer	Harbin
Bradbury	Hardin
Bradford	Harper
Bridgers	Harrell
Broadfoot	Harris of Archer
Brown	Harris of Dallas
Burton	Harris of Dickens
Cagle	Hartzog
Callan	Heflin
Cathey	Herzik
Cauthorn	Holland
Celaya	Hoskins
Cleveland	Howard
Colquitt	Huddleston
Davis of Haskell	Hull
Davis of Jasper	Hyder
Davison of Fisher	Jackson
Davisson	James
of Eastland	Johnson of Ellis
Deglandon	Johnson
Derden	of Tarrant
Dickison	